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NOTES AND NEWS.

Our present issue is taken up almost exclusively with the debate of yesterday (Thursday) week upon the motion to go into Committee on the East India Revenue Accounts. In spite of the report to the contrary, the first place in the ballot fell fortunately enough to Mr. Herbert Roberts, Secretary of the Indian Parliamentary Committee, and it thus became possible to take a division upon his amendment condemning the new law of sedition in India, which was the chief topic of the evening's debate. With this matter, and with another important matter upon which much was said, we deal elsewhere. The rule is, as most of our readers know, that a division can be taken only upon one amendment to the motion that the Speaker do leave the Chair, but any number of subjects may be discussed. In our issue of August 5 (page 79) we printed the text of the amendments of which Mr. Herbert Roberts, Mr. Samuel Smith, Sir M. Bhownaggree, and Mr. James Stuart had given notice. It will be seen from our full Parliamentary report that all these members, except Mr. Smith, introduced the subjects to which their amendments referred.

Before the debate came on three further amendments were placed upon the paper. One of these—in the name of Mr. H. J. Wilson—referred to the same subject as the amendment standing in the name of Mr. Stuart. Sir W. Wedderburn's amendment—to which he spoke in seconding Mr. Herbert Roberts's proposal—was as follows:—"That this House disapproves the new departure in Indian policy, which has led to aggression abroad and repression at home, which is contrary to the spirit of the Queen's Proclamation of 1858, and which has produced disastrous results both political and financial; and this House desires a return to the wise and humane policy of Lord Lawrence and Lord Ripon, which gave to India friendly neighbours, a contented people, and a full Treasury." Finally Mr. Robinson Souttar—a member both of the British Committee of the Indian National Congress and of the executive of the Indian Parliamentary Committee—gave notice of the following amendment:—"That, whilst it is extremely desirable that the Government of India should earnestly direct the attention and energies of the people to technical and industrial pursuits, and increase the productive capacity of the country to the fullest extent, it would be calamitous if in so doing they weakened either elementary or higher education in India." This motion was obviously of the nature of a rejoinder to the proposal standing in the name of Sir M. Bhownaggree, and Mr. Souttar spoke to it in his admirable reply to the member for Anglo-India.

The attendance of members during the debate was, as usual, small. Experience shows that, where Indian affairs are concerned, this is to be expected. But the Parliamentary sketch-writers who dwell with wearisome iteration upon this fact omit to remark that the audience, though few, were fit—in other words, were attentive and appreciative. If anybody doubts the value of the discussion which took place yesterday week, we beg leave to commend to his notice our full report of the speeches of Mr. Herbert Roberts, Sir William Wedderburn, Mr. Pickersgill, and Mr. Robinson Souttar. Taken together, these speeches may be said to state the case of the Indian Parliamentary Committee on the subjects now most conspicuous in Indian administration. Mr. Pickersgill, who, as his articles in India have sufficiently shown, has followed the course of the new law of sedition with equal insight and persistence, was able on the spur of the moment to reply to the plausible superficialities of the Solicitor-General in a speech of extraordinary skill; while Mr. Robinson Souttar's brilliant and conclusive defence of higher education in India was without doubt a performance worthy of a Secretary of State. We assume that it will be reprinted in India and circulated throughout the country as an unanswered and unanswerable rejoinder.

Lord George Hamilton, on the other hand, found himself in an extremely difficult position. He has been thrown over by the military party in India, whose instrument he consented to become, and his new law of sedition is condemned by all competent critics, Indian or Anglo-Indian, official or non-official. Lord George, in short, is stranded, and his recent experience ought to be a lesson to him. Sir Robert Finlay is an able lawyer and a popular member of Parliament. But he had not been adequately "coached" on the new law of sedition, and his support of Lord G. Hamilton was, therefore, rather worse than no support at all. Lord G. Hamilton did not, because he could not, reply to Sir W. Wedderburn's enquiry whether the powerful Anglo-Indian journals are to be prosecuted under the new law for their contemptuous and damaging attacks upon the "forward" policy. The cue of the ruling clique in Indian administration is to bully the weak and truckle to the strong—not *parcere subjectis et debellare superbos*, but *parcere superbis et debellare subjectos*, which is a bad hexameter and a worse policy. The treatment of their Anglo-Indian as contrasted with their Indian critics illustrates anew the profound truth that "That in the captain's but a choleric word, Which in the soldier is flat blasphemy."

Lord G. Hamilton appears to plume himself upon the fact that Mr. Thorburn has apologised for the stirring speech at Simla in which he turned the "forward" policy inside out and upside down. Could anything be more fatuous? Mr. Thorburn has not apologised for his opinions, but for uttering them though he is an official. Will that proceeding diminish the strength of his or his colleagues' condemnation of the Government? It is argued that officials should make their representations quietly and privately to those who are set in authority over them. But such representations pass unheeded by authorities who play the part of the deaf adder until an explosion—either in the streets of Bombay or in the United Service Club at Simla—makes them hear. One thing is quite certain. An official like Mr. Thorburn protests as he did only when he is moved so to do by a sense of public duty. In the discharge of this duty he risks his professional career. But he earns the respect of all honest men. The question is, as the Secretary of State is well aware, if one officer speaks out as Mr. Thorburn did, how many others, sharing his opinions, are silent for the sake of their wives and families?

There is far too much dragooning and far too much of the drill-sergeant in the present system of British administration in India. There is no man to whom independence of judgment is more essential than to an Anglo-Indian officer. Yet we continually hear—especially from Bombay—strong complaints as to the way in which public servants are treated for refusing to become the docile tools of a clique, and we should recommend the India Office to look through the list of men who have recently retired from the Indian Civil Service in the prime of life. Their reasons for retirement should be worth ascertaining, especially as it is certain that many more

who have not yet retired are smarting under a like sense of injustice.

Mr. Herbert Roberts's amendment was rejected only by the narrow majority of 36 votes (66—30, exclusive of the tellers). The tellers for the amendment were Mr. Herbert Roberts and Sir W. Wedderburn, and the following are the names of the faithful 30 who supported the amendment in the division-lobby:—

Barlow, J. E.	Haldane, R. B.	Souttar, Robinson
Caldwell, J.	Hayne, Rt. Hon. C. Seale-	Steadman, W. C.
Cameron, R.	Jones, William	Stuart, James
Channing, F. A.	Kilbride, Denis	Sullivan, Donal
Clark, Dr. G. B.	Langley, Batty	Ure, Alexander
Clough, W. O.	Lough, T.	Wallace, Robert
Curran, T.	MacAleese, Daniel	Walton, Joseph
Davitt, Michael	Maddison, Fred.	Williams, J. Carvell
Doogan, P. C.	Moss, Samuel	Wilson, H. J.
Griffith, Ellis J.	Pickersgill, E. H.	Woods, Samuel

All these members are Liberals or Irishmen, a fact that deserves the notice of those who maintain that Indian questions are not and ought not to be party questions. It will be seen that no member of the Front Opposition Bench voted. Indeed, Mr. Pickersgill called attention to the absence of Sir Henry Fowler from the discussion. It may be interesting to give a few names from the machine-made majority of 66:—Mr. Chaplin, Mr. Long, Sir Robert Finlay, Mr. Brodrick, Mr. Austen Chamberlain, Mr. George Wyndham, Sir Andrew Scoble, Mr. Jesse Collings, Mr. Powell Williams, the recently converted Mr. George Doughty, and (of course) Sir M. M. Bhownaggree. No Liberal member voted with the majority.

Sir M. M. Bhownaggree merely performed the feat of talking for three-quarters of an hour without saying anything, except, indeed, that he was a "product" of higher education in India, a statement which, if it were accurate, would undoubtedly be injurious. It will be seen that the whole point of Sir M. M. Bhownaggree's amendment was, not indeed to advocate technical instruction, but to throw discredit upon higher education. Every word of Mr. Souttar's speech in reply is worthy of careful attention. To our thinking it settles the matter once for all—showing as it does (1) that higher education, far from being the cause of certain evils in India, is the most powerful influence against them; and (2) that, whether the India Office likes it or not, it is simply indispensable. It is sometimes said, or more often implied, that the Indian National Congress is indifferent to technical instruction. Those who repeat this slander must be totally ignorant of the proceedings of the Congress. At Madras, in 1887, the Congress unanimously adopted the following resolution:—

> That having regard to the poverty of the people, it is desirable that the Government be moved to elaborate a system of technical education, suitable to the condition of the country, to encourage indigenous manufactures by a more strict observance of the orders already existing in regard to utilising such manufactures for State purposes, and to employ more extensively than at present the skill and talents of the people of the country.

Similar resolutions have since been adopted by the Congress at Allahabad in 1888, at Bombay in 1889, at Calcutta in 1890, at Nagpur in 1891, at Allahabad in 1892, at Lahore in 1893, at Madras in 1894, at Poona in 1895, at Calcutta in 1896, and at Amraoti in 1897.

A correspondent writes: "His worst enemy could not accuse Sir Mancherjee Bhownaggree of any inclination to find fault with the English rulers of India in general, or with that eminent statesman, Lord George Hamilton, in particular. Yet even the devotion of the member for North-East Bethnal Green may be tried too far. His amendment last Thursday in favour of technical instruction was vitiated by what seemed an insidious attack on general education. But Lord George Hamilton's insulting and illogical sneers at 'educated Indians' were too much even for Sir Mancherjee, and his mild protest, delivered as it was from the Ministerial side of the House, had some force. But what a bitter effect the Secretary of State's attack must have on the great mass of educated Indians—at once the creation of English rule and the butt of English mockery—may be judged by his words having evoked a protest from so firm a supporter of the Government."

Incidents of another sad case appear in the papers received from India by the last mail. Two Europeans were charged with the offence of setting dogs upon a Native municipal sweeper, whose duty it was to go along the Colaba foreshore in Bombay and look after dead animals. The poor man was bitten in the leg and had to rush into the sea to save himself. The case was tried by the Police Magistrate, Mr. H. Dastur, and the punishment inflicted was only a fine of ten rupees each. In this country a higher punishment is inflicted for cruelty towards cats and dogs. It is sad to contemplate the inevitable results of inhuman conduct by European offenders of which we hear so often. If the Imperialist statesmen of the day were really anxious for our Indian Empire, they would turn for a while from the Native Press and Native municipalities to provide a remedy for this growing evil.

As we go to press, the following telegram, dated August 17, reaches us from our correspondent at Madras: "Two European soldiers, one Knight and another, travelling in a carriage, invited three pariah boys to join them. Knight is alleged to have loaded his carbine and shot one of the boys, who has since died. Knight's comrade describes the affair as an accident, while four Native witnesses have deposed that it was murder. Knight has been committed for trial at the Sessions of the High Court."—*By Indo-European Telegraph Company's Cable.*

It is with great regret that we have to record the death of Mr. K. N. Bahadurji, the distinguished Indian doctor who came to England in the summer of 1896 to give evidence before the Royal Commission on Indian Expenditure, and to address meetings upon the reform of the medical service in India. Dr. Bahadurji was a prominent member of the Indian National Congress, and at the annual meetings delivered able addresses upon medical reform, a subject to which he devoted himself with the greatest zeal. His premature death—he was not past middle age—is a great loss to India.

The *Civil and Military Gazette* returns once more to the question of the surrendered rifles, the great trophy and result of the forward policy on and beyond the North-West frontier; but in its view, and it is especially well informed in such matters, the whole business is even more of a farce than we have ventured to urge in these columns. It seems that the Government, knowing how difficult it is to persuade a tribesman to give up a good rifle—he would sell his most prized possession, even his wife, to procure such a treasure—gave orders that any rifles surrendered were to be accepted. The Afridis brought in eight hundred, but not one of these could even be classed as "unserviceable," that is, they were not even good enough for recruits to snap off and fire their blank cartridges from. The Government, therefore, can say with perfect truth that not one of the rifles surrendered by the Afridis was "unserviceable," only unfortunately that is because they are below even that low standard. So much for the disarmament of the frontier tribes.

The *Civil and Military Gazette* is naturally slow to point out the blunders of the Indian Government, but on the question of the forward frontier policy it is outspoken. The strength of the position lately taken up by Mr. Thorburn at Simla, says the *Gazette*, lay in the fact that he was not speaking merely for himself, but was voicing the opinion of the frontier officer, and the district of the Punjab, and the educated opinion of India, on the impracticable and intolerable policy of expansion. "Mr. Thorburn has, in fact, done at last what the Opposition should have done in Parliament long ago, if they had had any knowledge of or interest in India, if there had been one able and well-informed man among them." This is no doubt a pretty strong statement of the case, but the indifference of the Front Opposition Bench in respect of the unwise and coercive Indian policy of the present Government has caused surprise and disappointment in India.

In a country situated like India, a poor country with an expensive system of government, a constant drain of wealth to England, and a growing debt, every difficulty has its financial side, and that is the weak spot where every scheme, however good in itself, is liable to break down. It is, therefore, not surprising that no part of Mr. Thorburn's famous speech seems to have gone so straight to the hearts of his auditors as his remarks on the starvation of the civil administration of India owing to the vast expenditure on the war beyond the frontier. In the history of the plague measures and the indebtedness they

have left behind, we have a striking example of the financial troubles that dog our steps in India.

At an early stage of the plague, the work of combating it was transferred from the municipalities to special plague committees; but the Government, which had not hesitated to undertake the relief from famine, refused to throw upon the taxes part of the equally necessary work of preventing the spread of the plague. The result of this has been twofold. The committees on their dissolution have left an immense load of debt to the municipalities, and nevertheless the work suffered from want of funds. In Bombay, thirty lakhs are said to have been spent in eighteen months, and the debt in Poona is overwhelming. The municipality of Kurrachee is preparing to increase the already crushing local taxation; and that of Satara—where money was spent very freely on a supposed promise that the Government would contribute—is spoken of as practically bankrupt. On the other hand, the *Friend of India* points out that plague operations have to a great extent been rendered ineffectual by the want of funds.

For this reason necessary works had in many cases to be left to private benevolence. Thus, as regards Calcutta, the same newspaper says:—

> Lakhs upon lakhs are spent upon the annual picnics at Simla and Darjeeling, without the smallest compunction; but when the capital of the Empire is threatened with a calamity of such appalling dimensions and such far-reaching consequences, social, commercial, and political, as an epidemic of plague, it stolidly buttons up its pockets. We see the result, on the one hand, in an abject confession of official helplessness in the shape of the miserable collection of sheds that does duty as the public plague hospital of a great city at Manicktolla, and, on the other, in a display of private munificence which is none the less a reproach to the Government that, so far as it is the outcome of spontaneous benevolence, it challenges only our admiration. It is no secret that, while a goodly portion of the means for starting the ward hospitals that are being established in all parts of the town has been furnished by such benevolence, the bulk of the money provided for the purpose has been obtained by assiduous touting on the part of members of Ward Committees and others, backed by as much official influence as could decently be brought to bear on behalf of the object in view. Now, while we would not say a word to deter any private individuals so disposed from stepping, in the last resort, into the breach which official failure has left unfulfilled, in this or any other instance in which the interests of the public are at stake, we cannot forget that, in practice, such appeals are apt to be attended by a peculiarly odious consequence. Their effect, that is to say, almost inevitably is to impose upon a small minority—and for the most part rather upon those who can least afford to refuse, than upon those who can best afford to pay—the entire weight of a burden which, in justice, the whole community ought to bear, and, if the Government did its duty, would be compelled to bear according to their means.

This reminds us unpleasantly of the "forced loans" and "benevolences" of the Plantagenets.

Lord George Hamilton has twice been asked if the people of Garshankar were turned out of the town before adequate accommodation had been provided for them outside. On both occasions he gave an evasive answer. "As to the number of huts provided, I have seen no allegation that it was insufficient," he said on August 9. On August 11 he said: "As to the provision of huts, I have seen no evidence to the effect mentioned in the question." Yet the *Tribune* of Lahore has in repeated articles, published in July, asserted that sufficient accommodation was not provided. "We assert," the *Tribune* writes, for example, "that on April 28, 1898, when the 6,000 inhabitants of Garshankar were turned out of their houses, they were not led to huts standing ready to give them shelter. How long they remained without shelter, or in how many days hutting materials were provided for them all, is a matter of further evidence. Let our statement be contradicted by all means if it admit of contradiction."

With regard to the conduct of the police who fired at the mob and killed nine of them, the *Tribune* raises a very grave question. "The right of private defence," according to Section 99 of the Indian Penal Code, "in no case extends to the inflicting of more harm than it is necessary to inflict for the purpose of defence." The right of private defence according to the Indian Law does not justify the causing of the death of others, except when there is reasonable apprehension that death or grievous hurt will be caused by the assailants. And, thirdly, "there is no right of private defence in cases in which there is time to have recourse to the protection of the public authorities." Reading these three provisions together, let every one judge for himself whether the 250 armed police did or did not exceed the right of private defence in shooting down nine of the people of Garshankar, and wounding a great many others because they would not leave their homes and resisted with brickbats. If the police are guilty under the law, will the Government of India direct their prosecution?

The disturbance at Baroda which was referred to in a recent issue of INDIA seems to be now over. The official account has been published. "A fresh outburst of disorder," says the official document, "is unlikely after what occurred, but in order to ensure the preservation of peace an infantry regiment, a squadron of cavalry, and two guns have been stationed at Vijapur, and punitive police posts are being established in the villages whose inhabitants participated in a greater or less degree in the late disturbances." It is pleasing to find that the best informed journals in Western India generally approve of the action of the Baroda Government in connexion with these disturbances. The *Times of India* entirely exonerates the Gaekwar's government of the charges of severity or oppression, and the *Bombay Gazette* notes that "such continued clemency would not have been shown under similar circumstances in a British district."

The *Amrita Bazar Patrika* does well to expose the protest under which it is sought to demolish municipal self-Government in Calcutta. The Hon. Mr. Risley, who introduced the new Municipal Bill, said that it "affirms and extends" the principle of self-government. But the *Times* openly announced that "the enquiries in Bombay and Calcutta have led to legislative measures that imply a partial return from the self-governing to the centralised official model." Is the Hon. Mr. Risley, or the *Times* right? There cannot be the least doubt that the *Times* described candidly both the purpose and the effect of the Bill. It is a return from self-government to despotism.

The present Government, which is suffering from a mania for coercion, forgets that English statesmen have worked for generations to produce the very results which it is now sought to destroy. Statesmen from the time of Munro and Elphinstone, Malcolm and Bentinck, have held that good government in India is impossible unless the people of the country are taught to take a share in the administration, and they have worked towards that end. The records of the Calcutta municipality among other evidence show how they succeeded. Municipal concerns, it has been found, are administered more efficiently, more economically and more honestly by elected Commissioners than ever before. Then suddenly a reaction sets in, and it is proposed to undo the work of generations, and to re-establish despotism. Such a move is worse than a blunder; it is an administrative crime.

The *Amrita Bazar Patrika* cites the views of the late Sir Ashley Eden, which have been adopted by Sir Alexander Mackenzie, and found expression in the new Bill. "Immediately on his arrival here as Lieutenant-Governor, Sir A. Eden was pleased to hold converse with the writer of this on the elective system granted to Calcutta by his illustrious predecessor, Sir R. Temple. What Sir A. Eden said was, in effect, this: Representative government has proved a failure everywhere. It is a failure in America; the British Parliament itself is a sickly plant, and we shall soon make an end of it." If opinions like these are adopted in the future administration of India there is trouble in store.

Grave apprehensions are entertained that it is intended to destroy self-government in Poona. The *Mahratta* lately wrote to the District Officer, Mr. Lamb, enquiring if such a change was contemplated. The District Officer replied that he was "not at liberty to afford information as to what questions were or were not under the consideration of Government." We agree with the *Mahratta* in thinking that it would be better for the Government to take the public into its confidence, and allow them to express their opinion upon the matter, than to take up hastily an undesirable position from which the "prestige" of the Government would preclude a retreat. It was in 1885, in the first year of Lord Dufferin's administration, that the present constitution of the Poona municipality was formed. The municipality consists of twenty elected and ten nominated members.

THE DEBATE ON THE NEW LAW OF SEDITION.

FOR the supporters of a measure to offer alternative defences which are not very easy to reconcile, however usual the practice may be in the Courts of Law, is an unsatisfactory course to pursue when the appeal is to the high court of public opinion. The supporters of the new law of sedition will, therefore, only have themselves to thank if the distrust with which it has been viewed hitherto is deepened by what took place in the debate in the House of Commons yesterday week. That the law has been unaltered, that the alteration made was desirable, and that the only effect of the alteration was to bring the law of India into harmony with that of England, are three propositions any one of which may be true. But even a Solicitor-General would find it difficult to make them all true at once. Yet the House of Commons was gravely assured by Sir Andrew Scoble that "there had been no extension whatever of the law, which was precisely the same as it was when the Indian Code was first passed;" and by the Solicitor-General that the recent change in the law only brought it into line with that of England; while the Secretary of State entered into a long explanation of the reasons that made a change in the law desirable. An examination of the three contentions will show that they are all equally unfounded.

It was not difficult for Mr. Haldane, who spoke immediately after Sir A. Scoble, to show that the new law contained more than the old, but it was the Solicitor-General who gave the most decisive proof of this, though it can scarcely have been in his brief. Quoting as authoritative Chief Justice Edge's definition of "disaffection" in the old law, he declared that that eminent judge defined it "to mean disloyalty, the stirring up of a feeling of active dislike towards the Government." But there is nothing about *active* dislike in the new law. It has already been pointed out in these columns that hatred and contempt are compatible even with the support of the Government established by law. Much more, then, is it possible for dislike of the Government to remain inactive. But in the new law there is nothing about *active* dislike—that is a vital distinction between the new and the old. It is difficult to suppose that Sir Robert Finlay attaches no meaning to the word *active*. Yet it is certainly not to be found in the new clause, "disaffection" being explained as including "disloyalty and all feelings of enmity," whether active or passive. Therefore, we have it on the high authority of the Solicitor-General that the law has been changed.

On the other hand, Sir Robert Finlay himself succeeded no better in proving that the new law was identical with that of England. Mr. Pickersgill, undeterred by the empty bench just below him—the bench from which the leaders of the Liberal party should have been defending the liberties of India — answered him completely and incisively. The Solicitor-General, starting from the legal proposition that a man must be held to "intend" the effects of his acts, went on to quote Sir James Stephen's text-book definition of seditious intention as practically identical with the new clause. But Mr. Pickersgill had no difficulty in showing that, by the judgment of Mr. Justice Cave (*Reg. v. Burns*), supported by an Irish decision (*Reg. v. Sullivan*), this presumed intention must be judged of by the facts of the case, and may be rebutted. Now the new clause makes no mention of *intention*. It is penal to bring the Government into hatred or contempt. Therefore, even if it should appear that there was no seditious intention, though this would be an answer in the English Courts, it would be no answer in India. The English law, assuming a seditious intention where the libel is seditious, nevertheless allows that that intention may be disproved; the new Indian law ignores intention, so that to disprove a seditious intention would be no defence. The Government has yet to show that the new law is in harmony with the ruling of Mr. Justice Cave.

As to the more general arguments on which Lord George Hamilton relied, they were hardly of a kind to advance his case. To say that writers may criticise the acts of the Government provided they do not excite hatred or contempt, is to ignore the impossibility of pointing out the misdeeds or errors of Government effectively without risking the creation of such feelings. To say that an alteration of this clause had been under consideration for seventeen years by successive Governments, but had not been made, is an argument that cuts both ways. To abuse the educated Indian is no argument at all. At bottom, Lord George Hamilton's plea was Sir Andrew Scoble's, namely, that there had been no change in the law, but only a clearer expression of it, such as was necessary now that inferior magistrates were to be entrusted with its execution. But this doctrine of "no change" had already been refuted by Lord George's colleague, the Solicitor-General.

Incidentally, the defenders of the new legislation made use of two lines of argument that seemed somewhat unfair. Sir Andrew Scoble, professing to answer the complaint that Indians returning to India might be prosecuted for language they had used in England, thought it sufficient to give a list of places out of the jurisdiction of the Indian Courts, and of crimes which it might be convenient to punish in British India, though committed beyond its borders—as if it was necessary, in order to punish in India a murder committed in Uganda, to make "sedition" in England also punishable in India. The other argument, which came with a very bad grace from the speakers on the Government side, was their appeal to the danger of creating ill-will between different classes and opposing sects. Now even if a new law was needed for this, it was unnecessary to have the extended definition of sedition to which exception has been taken. If it was necessary to make it penal to stir up enmity between classes, how is that an argument for making it penal to bring the Government into contempt? It would have been generous of Lord George Hamilton to acknowledge in this respect the untiring efforts of his critics, the National Congress and the Indian Press. The true cure for religious animosity and class hatred is the rise of the idea of a common interest and a common country, and of this idea Lord George Hamilton and his friends seem the most determined opponents. What hypocrisy then is it for them to shelter their repressive legislation under the pretence of protecting the Indians against the outbreaks of religious animosity!

The debate ended, as it was bound to end, in a numerical victory for the Government, but the opponents of the new law have gained one solid result. The Government declared, first, that there had been no change in the law, and secondly, that it was now the same as that of England. It is for the Indians to watch its administration in the light of these declarations, and to keep the public informed of any step that is taken in contravention of these pledges.

THE VICEROY DESIGNATE.

ALREADY we have expressed our wish to refrain from evil anticipations of Mr. Curzon's viceroyalty, and to await the development of events. We observe that the chorus of jubilation in the home journals is by no means unbroken, the *Saturday Review*, and even more notably the *Spectator*, being among the dissident voices. It is rather weak to publish as "Indian" opinion the favourable view of the *Times of India*, but, whether ignorant or intentional, it swells the chorus. This is a very superficial matter, however, and the real test will come when Mr. Curzon takes in hand the reins of Government. In the meantime we may turn to Mr. Curzon's Indian record, and on that suggest such reasonable and restrained inferences as may occur to us.

Mr. Curzon's admirers have trumpeted his profound acquaintance with Indian problems. They talk of his travels, of his books, and of his speeches. We have already expressed our opinion on his travels, and, after refreshing our mind on his books, we really fail to see wherein we could honestly mitigate the severe criticisms we passed on their publication. Mr. Curzon illustrates conspicuously the saying that the eye sees only what it brings the power to see; and Mr. Curzon's eye has hitherto been extremely prejudiced by his mental *hauteur*. It is certainly an advantage that the Viceroy should possess at least some conception of the physical configuration of the North-West frontier formed on personal observation. Yet, in Mr. Curzon's case this advantage is evidently over-balanced by his fantastic notions of England's Imperial mission, and of the inferiority of all other people in territorial contact with her. It is a grave strategical blunder to despise the forces of your opponent, or possible enemy. It is a still graver blunder to contemn openly the peoples with whom you desire to live in peace

and amity. As for Mr. Curzon's speeches on India in the House, they are far more startling in contents than in number, or in intrinsic importance. Apart from answers to questions during his Under-Secretaryship of India, Mr. Curzon has, we should say, addressed the House on Indian affairs only some half-dozen times. One can but remark that this is a better record than that of some of his predecessors; it is hardly a fit subject for the ecstasy of laudation and of prophecy.

Some four years ago, in a notice of Mr. Curzon's "Problems of the Far East," we spoke of the author as "one of the rising hopes of the Jingo party in England." A month before he had spoken in the House of the necessity of a "scientific frontier" away up in the Pamirs, as if he meant to pose in the right line of descent from Beaconsfield. "Do not," he said, "let us lose this opportunity of providing ourselves with a boundary in those remote regions which shall be scientific and well-defined, and which, by virtue of possessing these conditions, will be a guarantee for the maintenance of peace between two great powers which should never be at war with each other." Now, if we could get a frontier that would really operate as such a guarantee, we should promptly join in Mr. Curzon's aspirations, and we should not even mind calling it "scientific." But inasmuch as, in Mr. Curzon's words on the same occasion, "experience shows that Russian officers on the frontier are not individuals possessed of excessive caution," and inasmuch as Mr. Curzon himself on a later occasion applied the same remark to English officers on the frontier, there appears to be a weak link in his reasoning. He thus drives us back upon the ultimate controlling force, and that is the Viceroy; and when the Viceroy possesses the temper of Mr. Curzon, it is not very easy to feel comfortable about "the maintenance of peace between two great powers which should never be at war with each other." Will he, as Viceroy, set the example, and insist sternly on the practice of a conciliatory bearing?

On February 12, 1895, Mr. Curzon delivered his opinion on frontier policy in plain enough terms:

> The assumption underlying the speech of the hon. baronet (Sir William Wedderburn) was that the military expenditure of the Indian Government was unwise and unjustifiable, and their policy rash and unsound. I have myself made in a humble way some attempt to understand the question, and I deliberately state that, broadly speaking, the frontier policy of India with the great expenditure it has entailed, has been not merely a wise and statesmanlike, but an absolutely necessary policy. No doubt great mistakes involving enormous financial responsibility have been committed. Nobody would now defend the fatal policy and ruinous cost entailed by the first Afghan War. But we have learnt by experience, and are, I should imagine, extremely unlikely to make any such blunder again. The policy of military expenditure, the frontier expedition, and the cost of setting up an organised administration after victory has been won, constitute a policy of insurance which we are bound to pay for our great Empire. Our long immunity from war in India has been simply due to the effect of the millions of money we have been content to spend upon that object. The only way, in my judgment, by which we can escape the invasion of India is by rendering invasion sufficiently dangerous to make it not worth while for anyone to attempt it. Seriously as I think this House should scrutinise the various acts of the Indian Government and their consequent financial responsibility, for my own part I am of opinion that the policy of Lord Lansdowne, Lord Roberts, and the great men who for the past fifteen years have been making secure the frontiers of India is one that should meet with the gratitude of this country and the support of this House.

It is wholly unnecessary to analyse this astounding deliverance. The readers of INDIA at least will be in a position to judge how far Mr. Curzon has "learnt by experience," and what is likely to be the temper of his administration of the frontier.

On February 18 this year Mr. Curzon delighted the Philistines of his party by declaring in the House that the Lawrence policy "was dead" and "could not be revived." His reasons were the usual stock fatuities, utterly inconsistent with the facts, and wholly exploded. As for our relations with the tribes:

> No one had the slightest desire to annex territory, or destroy the independence of the tribes. But he did not think we could avoid them altogether. However anxious we might be to leave them alone, they would not leave us alone, and, if so, what was the policy to be adopted with regard to them? Hon. members opposite advised non-intervention with the tribes. But it was absolutely necessary to have some relations with the tribes, and three things were essential. We must, in the first place, have means of communication by the main roads and passes; secondly, we must have control of the foreign relations of the tribes; and, thirdly, we must have some assurances of their good conduct, for which we have always been ready to pay them heavy subsidies.

The history of the outbreak of the recent northern campaign at the Malakand and Chakdara, considered in conjunction with the awkward trouble there within the past three weeks, might tend to teach the most perverse of official faddists. Mr. Curzon's method of having "some relations with the tribes" shows how little he has "learnt from experience." Where is the use of telling the people of Bolton (Jan. 25, 1898) that the right frontier policy is summed up in the words, "not heedless annexation, but pacific control," when "pacific control" involves measures that can only end in driving the tribes to arms and subjecting their country to eventual annexation? "Russia," said Mr. Curzon (Feb. 18, 1898), "has planted her soldiers right up to the waters of the Oxus, and we are equally bound to do the same." At the same time, "we cannot always be sure of frontier officers, Russian or British." Need another word be said to impress the dangerous character of the views of frontier policy which Mr. Curzon will carry with him to Calcutta?

"England's fate," said Mr. Curzon to the Balloon Society in March, 1895, "is linked with India. England could no more exist without India, than India could exist without England." The sentiment suffers sadly in truthfulness from the stress of epigrammatic expression. But if India and England are indeed so inextricably interlaced, their very existence bound up with their union, the fact ought to weigh heavily in the councils of the Indian Government. Mr. Curzon, as has been seen, justifies in the fullest degree the policy of militarism and by implication the resulting expenditure. Then what of the internal development of the country? Is he content to defend India from supposed external dangers only to leave her to perish of inanition? With militarism rampant, how is the country to be made prosperous? We are not aware that Mr. Curzon has publicly expressed his views on this rather important side of Indian affairs. We know that he is an ardent champion of the existing opium policy. Would it be right to infer that the whole policy of internal repression in every department of national life and activity will have his enthusiastic support? True, he spoke in 1892 in favour of the better utilisation of the only sources of English knowledge of Indian opinion—the vernacular journals and the National Congress. This was when he was recommending the amendment of the Indian Councils Act, and especially the provision for interpellation. But the official views have changed since then. Have Mr. Curzon's remained unchanged? Anyhow, the end of the repressive policy is evident. It will not, we think, be mutiny or insurrection, but it will be far worse—it will be the paralysis of civil administration. At the present moment, the first requirement in the Viceroy is a little touch of kindliness, the humane sympathy that would lead him to speak a friendly word and bid India rise from the dust. Can it be hoped that Mr. Curzon will speak that word? Some of the Native journals are reported to welcome his appointment on the strength of the anticipation that he will not be led by the officials. But will his independence result in the emancipation of the governed from the official tyranny and disrespect from which the people yearn to be delivered?

THE STATE AS PROCURESS.

THE extraordinary misstatements made by Lord G. Hamilton in the debate on the Indian Budget with respect to the cantonment regulations touching venereal disease were really answered, before he made them, in the speech in which Mr. Stuart introduced the subject. Lord G. Hamilton tried to make out that the distinction between himself and his opponents was that he wished, and they did not wish, to treat these diseases on the same footing as other diseases. This is not the case at all. There is no difference of view on this point. The real difference of view lies entirely elsewhere. The Secretary of State and his friends are not treating these diseases similarly to others. They are seeking to treat them differently, and in such a different way as to set up once more all the old abominations which have been so universally condemned.

When Lord G. Hamilton's despatch of March 26, 1897, was published, he said, in effect, Let these diseases be treated exactly as others; and the greatest care must be taken that

> there must be no provision of women for the use of soldiers by any authority, civil or military. There must be no registration of prostitutes other than that which is or should be enforced for all in-

habitants of cantonments, and no granting of licenses to practice prostitution. There must be no compulsory and periodical examination of women.

At the time we pointed out that exactly the same thing had been said ten years ago by Lord Cross, and exactly the same proceedings had been forbidden; but the Indian Government had put Lord Cross's wishes aside and done everything he had condemned—so that Sir Henry Fowler, after the disclosures of the Committee of 1893, had to pass an Act (the Cantonments Act of 1895) actually forbidding by law the very things which Lord G. Hamilton advised should be prohibited. So long as this law existed, things seemed pretty safe. But it was pointed out at the time that the *bona fides* of the authorities would be tested by their attitude to the Act. And, surely enough, the first thing the Indian Government did was to demand the repeal of that Act, and to that repeal Lord G. Hamilton consented without a word of demur. He now—eighteen months after the event—endeavours to represent himself as repealing an Act which prevented the treatment of venereal disease on the same footing as other diseases. He did nothing of the sort. He repealed an Act which prohibited the very practices which he himself condemned. Here is the whole Act, and its words textually bear out what we say:—

That no such rule shall contain any regulation enjoining or permitting any compulsory or periodical examination of any woman for the purpose of ascertaining whether she is or is not suffering from any venereal disease, or is or is not fit for prostitution, or any regulation in the licensing or special registration of prostitutes, or giving legal sanction to the practice of prostitution in any cantonment.

Nay, there is more: for this is only a recent idea of Lord G. Hamilton's. In August, 1897, when Mr. Stuart asked why the Act was repealed, the Secretary of State answered as follows (we quote from Hansard):

While preparing the despatch which he wrote to the Indian Government it was not clear to him that the phraseology of the Act of 1895 was such as to prevent the regulations that were proposed. But the Indian Government in their reply showed that if the Act was not repealed the Indian officers would not be able to carry out the regulations they had submitted for approval. These regulations were entirely in accordance with his despatch, and did not go an inch beyond it; and as the Indian Government wished to repeal the Act, he gave his consent. If the hon. gentleman thought they were going to take any action that was inconsistent with the despatch he was in error. All they wanted was to give the regulations fair play by removing from the Indian Statute books an enactment which did not allow of the proper and effectual operation of these new regulations.

This is certainly not the language used, nor the attitude taken up, by Lord George yesterday week.

The real truth is, in our opinion, that Lord George Hamilton knows nothing of this great question, and is merely being used by those who know what they are about. There has been one and only one effectual check to the re-establishment of the whole worthless and condemned fad called the Contagious Diseases Acts, or (more smoothly) the lock hospital system in the Indian cantonments. That has been the Act of 1895. This did not prevent in any way whatever the treatment of venereal diseases on the same footing as others. But from the time when it was passed the Indian authorities have had but one object, namely, to get rid of it; and that, by Lord George's weakness and incapacity, they have now done. As a consequence their hands are untied, and they have only his feeble and easily-disregarded advice to deal with instead of a prohibitive statute. They have, as a fact, begun again in good earnest. The circular of November 10, 1897, to which Mr. Stuart called special attention, states distinctly that owing to the repeal of the Act of 1895—the Indian Government does not conceal that that is the vital point—it "becomes desirable to state explicitly the policy of the Government of India" with respect to the future treatment of venereal disease in cantonments; and part of this policy is stated in the next clause as follows: —"Medical officers may make arrangements to carry out from time to time the examination of women who voluntarily present themselves." For what purpose are these women examined? Not to cure them, because well or ill they are examined periodically. The object is to provide women supposed to be healthy. This is the old C.D.A. system back, full-blown again. No one need be misled by the word voluntary. It could easily be shown that voluntary action is out of the question. But we do not stop to prove that. So far as the women are concerned, it is very important. But, so far as the men are concerned, it does not make one jot of difference. In either case the State is providing for them supposed healthy women, and there the whole moral and hygienic evil arises. The vice is encouraged and sanctioned, and disease is increased; for, as the Army Sanitary Commission has continually shown, the examination absolutely fails as a guarantee. We are, therefore, once more launched on the old evil course. The Indian authorities, with their ghastly fad, have triumphed, and the system is reinstated under which, during the twenty years of its existence, the prevalence of disease more than doubled. What a contrast to the course of events in England itself where repeal has been loyally received, and where, since repeal in 1886, the total admissions into hospital per 1,000 men in the home army have decreased from 267 to 158, or by more than 40 per cent!

OUR LONDON LETTER.

(FROM A PARLIAMENTARY CORRESPONDENT.)

WHEN I last wrote, the appointment of Mr. Curzon to the Viceroyalty of India, though a matter of common knowledge, had not been officially confirmed. It has now received that official confirmation, and he will take over his new duties about the end of the year. This is how the *Times* refers to the subject:—

Mr. Curzon's appointment to the Viceroyalty is well received in official circles and by public opinion in India.

As to "official circles" in India, the reader will readily imagine that the appointment has been well received; but I should like to know what the *Times* means by "public opinion" in India. Such public opinion as there is in India is apt to be dismissed as "sedition" and "treachery" by the powers that be. Meantime, in this country, apart from the obedient Government organs, the matter has been dealt with in anything but a hopeful manner. The *Spectator*, a thoughtful and sober Unionist journal, has criticised the experiment in a trenchant tone. But perhaps the severest comment is that which has been, all unconscious[illegible], given by more than one Unionist paper, for it has been [illegible]avely announced that Mr. Curzon is going out to India b[illegible]use of his health. If it were not for the fact that such v[illegible], such serious and tragic issues were involved, there would be something absolutely comic in the notion that a man is sent out to rule over hundreds of millions of our fellow-subjects simply because he needs a change of air. Yet I see nothing to be surprised at in all this, for it fits in appropriately enough with our usual treatment of India. A Government which can allow Lord G. Hamilton to preside at the India Office, and to be assisted by Lord Onslow, can hardly be expected to show great discrimination in the selection of a Viceroy. There can be no doubt, however, that Mr. Curzon is a man of real ability, and of much independence of mind. These qualities are greatly needed in an Indian Viceroy, and many politicians here who are entirely opposed to Mr. Curzon's opinions, are not without hopes that the extreme responsibility of his new position may be the making of him. Certainly he will be no cipher. And there are many who think that it is better for the Viceroy of India to be a strong man of perverse opinions than a weak man of excellent intentions who becomes a mere instrument in the hands of able but irresponsible, and therefore reckless, subordinates.

Thursday was really the last day of the Session, for though the two Houses met on Friday the sittings on that day were merely formal. And what was the business taken on Thursday night, when scarcely one-sixth of the members were left in London, and when barely two dozen were in their places? It was what is known as the Indian "Budget"—not in reality the introduction of a budget at all, but the chief occasion on which Indian grievances can be discussed. The House was a telling object-lesson to those who take an interest in India—a heart-breaking object-lesson, too. There were some dozen or two tireless and devoted friends of the unrepresented millions of India —and there was Lord George Hamilton. That was all. I have already referred to something called "public opinion" in India. The debate initiated on Thursday by Mr. Herbert Roberts and Sir William Wedderburn threw a searching light on Government methods with regard to the expression of public opinion out there. Mr. Herbert Roberts, in an able speech, submitted that the recent alterations in the law relating to sedition and the control of the Press in India were a distinct departure from the traditional policy of the Indian Government in regard to

the Press and public criticism, and as such demanded the immediate attention of Parliament. He further called for the repeal of this new-fangled legislation, seeing that in the Indian Press the Natives found their only opportunity of expressing their opinion as to Government measures.

As I listened to the debate I thought again and again of a celebrated remark by Macaulay who, unlike Lord George Hamilton, was a man of supreme ability and knew India. He said that to muzzle the natives of India was as insane as to leave the rattlesnake its venom and deprive it of its warning rattle. The simile is not pleasant, I know, and smacks a little of the Calcutta or Simla view. But the lesson implied is sound and wise. Sir William Wedderburn made this clear enough in his speech. He implored the Government to leave these dangerous Russian methods of trust in the police for the more excellent way of trusting the people. Criticism, he said, was being silenced in India because in many respects our acts would not bear being criticised. It was not without reason, bad reason, that we were suppressing freedom of speech in India, and reversing the older, wiser, and more humane policy of Lord Lawrence and Lord Ripon. That policy was the right one, and its wisdom could be seen in its results—friendly neighbours beyond the frontier, a contented and grateful people within the borders of India, reduced taxation and a full Treasury. All this had been reversed. Instead of friendly neighbours we had established a blood-feud beyond the frontier and had ensured a permanent hostility by an irritating and unjust occupation of the territory of the tribes. Whatever Lord George Hamilton might say about his "forward" policy, it was recognised as a disastrous failure in India both by Indians and Anglo-Indians, officials and non-officials. Mr. Thorburn, Financial Commissioner of the Punjab, had stated as much in his recent speech at Simla; the Anglo-Indian Press had taken the same side, and even the Simla correspondent of the *Times* had thrown over the Government. Sir William quoted passages from the *Pioneer* and other Anglo-Indian papers in which the Government was severely criticised, and he asked if Lord George Hamilton would prosecute those papers. If not, then it was evident that they ignored the offences of the rich and the powerful, and pounced only upon the weak and the defenceless.

I was pleased to notice among the few members present Mr. Haldane, a cold Scottish philosophical lawyer. For when he condemned the Government for this new departure in connexion with Press laws, and condemned those laws as retrograde, I knew the Government must put up someone not quite so uninformed, or ill-informed, as Lord George Hamilton. My expectation was justified, for the Solicitor-General rose to reply. His argument was that the Press laws in India are exactly the same as those in this country. Possibly. I am not a lawyer, but here I must repeat again what I have said more than once of late in these columns. The vaccination laws here and the regulations relating to the suppression of the plague in India have been both compulsory—but they have been enforced in India and not enforced here. It is theoretically possible to impress men and beasts for war service in both countries—in India they are impressed, here they are not. And so with the Press. In India it is gagged and muzzled, here it is free. No British journalist need care two straws about the Solicitor-General's declaration—even if it were accurate—that there is no more liberty of the Press theoretically in Great Britain than in India, for after all a little practical liberty is worth a great deal of liberty only in theory. Sir Robert Finlay, who was plainly at sea, was answered in a speech of supreme ability and debating power by Mr. Pickersgill—a member who disdains the fussy arts of self-advertisement, and who accordingly does not receive so much public attention as is his due. He proved conclusively that in India editors are sent for, bullied and threatened in a manner which dare not be attempted in this country.

Lord George Hamilton's reply was characteristic. It consisted almost entirely of assertions that he had been told this, or informed that, or assured of something else. In one passage he showed that he sometimes reads this journal, for he declared that one of Mr. Pickersgill's remarks had been contained in an article by that hon. member in India. But of course the "reply" was an utter farce. The Government cares but little for Indian affairs at any time, and is not likely to trouble much on the last day of the Session. When the division bells rang the Government knew it was safe. Some couple of dozen members had heard portions of the debate. Then came the "faithful Commons" from the smoke-rooms and the bars, and Mr. Herbert Roberts's resolution was rejected by 66 to 30. Significant figures! Less than one hundred members could be whipped up anywhere about the premises. Nor should I be honest if I pretended that the disgrace belongs to the Tory party entirely. There was not one Liberal "leader" who cared to devote a couple of hours to the cause of the freedom of speech and the freedom of the Press in India.

The next piece of business was really grotesque. Somehow or other Sir M. Bhownaggree feels it due to himself on such occasions to make a speech about something or other—apparently to justify his existence, or at least his presence in the House. He does not appear to care much what it is about, and in that he is wise, for it certainly does not matter. This year he made a speech against the higher education of his fellow-countrymen. He said their attention should be turned chiefly to technical and industrial pursuits. It was a poor and paltry performance, and would not merit a moment's attention were it not for the fact that it elicited a telling and able reply from Mr. Robinson Souttar. I have not space to do justice to that speech, but I may say that I listened to it with the utmost delight. The first sentence will show the reader its spirit and tone:—

> Hitherto the attacks directed against the system of higher education in India have been made by Anglo-Indians and cold-weather visitors to India. But to-night the House has listened to a Native attack on higher education in India, and, to say the least of it, it is not edifying to see a man engaged in kicking away the ladder by means of which he himself climbed to fame.

It was a deserved rebuke; but I do not suppose for a moment that it will have any effect in the quarter in which it should tell.

So practically ended the Session of 1898. It has been a dull, fruitless and paltry Session—and its end was in keeping with its general character. For it ended with our usual scandalous indifference to the wrongs of the people of India—and amid grave questionings about our position in China. To those questions Mr. Balfour, who, in the interests of humour, I suppose, was put up to reply, was able to say truthfully enough that he "did not know." In the midst of this acute crisis in the Far East, the Prime Minister and Foreign Secretary is abroad, and we have no Under-Secretary for Foreign Affairs. So the curtain comes down on a dreary farce.

Imperial Parliament.

Thursday, August 11.

HOUSE OF COMMONS.

PETITIONS.

East India (Contagious Diseases),—Petitions against State regulation; from Westminster, and Tunbridge Wells (two); to lie upon the Table.

THE STATISTICAL ABSTRACT.

East India (Statistical Abstract),—Copy presented of Statistical Abstract relating to British India from 1887-8 to 1896-7, Thirty-second number [by Command]; to lie upon the Table.

THE COMMITTEE ON CURRENCY. MINUTES OF EVIDENCE.

East India (India Currency Committee, 1898),—Copy presented of Minutes of Evidence taken before the Committee appointed to enquire into the Indian Currency, together with an Analysis of the Evidence, Part I [by Command]; to lie upon the Table.

THE INDIAN "BUDGET."

THE NEW LAW OF SEDITION.

MR. HERBERT ROBERTS'S MOTION.

GOVERNMENT'S NARROW MAJORITY.

On the motion to go into Committee on the East India Revenue Accounts,

Mr. Herbert Roberts moved: "That in the opinion of this House the recent alterations made in the law relating to sedition and the control of the Press in India, being a distinct departure from the traditional policy of the Indian Government in regard to the Press and to public criticism, demand the immediate attention of Parliament, and that, having regard to the conditions of British rule in India, and to the exceptional part played by the Indian Press as the only medium for expressing the opinion of the people as to Govern-

ment measures, and to the fact that such a policy of restriction and intimidation must, if persisted in, result in producing elements of danger to the Government of India, it is desirable that the legislation in question should be repealed at the earliest opportunity." The hon. member, referring to the appointment of Mr. Curzon as Viceroy of India, said he was sure he expressed the general opinion of his side of the House when he heartily congratulated the right hon. gentleman upon his appointment. (Hear, hear.) They only regretted the loss of one of the most distinguished members from that House. They hoped his career would not only be marked by his great ability and special knowledge, but that his Viceroyalty would be remembered as wise, sympathetic and peaceful. (Hear, hear.) Referring to his motion, the hon. member said the relegation of the discussion of Indian affairs to the last moments of the session was becoming a public scandal, having regard to the important interests involved. It was a strange condition of Parliamentary history that the Budget of an Empire greater in extent than that of the first Napoleon should form the annual despair and annoyance of the House of Commons. What was required in the best interests of India was that the conscience of the House of Commons as a whole should be awakened in regard to its responsibility and obligation towards India. (Cheers.) He was fully conscious of the great difficulties which had, especially of late, surrounded the Indian Administration—difficulties which had been met with a courage and untiring devotion worthy of the best traditions of the Civil Service. But they would be false to their duty as members of the House of Commons if, believing as they did that that Government were making a perilous mistake in their policy as regards the Press, they did not lay their views before the House. The action of the Indian Executive in making these amendments in the law of sedition involved important principles, and, whether they were right or wrong in the view they entertained as to these amendments, Parliament had a right to know the circumstances under which they had been initiated, and the effect they were likely to produce on different classes in India. (Hear, hear.) Nothing could be worse for India than any development which would make her vital interests the sport of political parties in the House. Parliament as regards India should be a just and impartial tribunal, or court of appeal, and not an arena for the display of partisan and sectional opinions. He then referred to some of the most important changes brought about in the Indian Penal Code and the Criminal Procedure Code by recent legislation. The changes made had the effect of seriously restricting the liberty of the Press and of public criticism of the Government of India. Such a restriction was opposed to the policy of the Government of India during the last half century. (Hear, hear.) It was generally unwise in India to repress the expression of public opinion, as that would inevitably lead to disaffection and its consequent dangers. A careful consideration of the facts of the case would prove that there was, in the statement as to the Native Press of India being the irritant in these disturbances, a confusion of cause and effect. All who knew anything of India knew that the papers, both English and Native, were not written or circulated for the masses. The Indian people as a whole were not newspaper readers, and what was written did not influence, and was not intended to influence, the masses. What was written was intended to place before the Government the feelings of the people with regard to Government measures, when and where the measures caused dissatisfaction. The papers considered it to be their duty to the ruling power. What, therefore, would be the obvious result of the suppression of the Native Press? It would not cure the evil to keep the Government ignorant of what the people thought. (Hear, hear.) About a year ago, when the plague with its attendant horrors was raging, the Government took vigorous measures to deal with it. Some of these measures, though conceived for the best ends, aroused the deepest indignation among the Native population, and the Native Press wrote strongly and even violently against them, and especially against the measures adopted for instituting search for plague patients by European soldiers. (Hear, hear.) That was condemned as sedition. All that could be done to suppress the expression of Native opinion through the papers was done, and the result was, though the Press was intimidated, disaffection remained, and found expression in disturbances, and even in murder. He submitted that the Government of India made a fatal mistake in regarding the action of the Native Press upon that occasion in protesting against those particular plague measures as an irritant, when it was clear that if they had listened to the protests when they were uttered the deplorable riots and much friction which ensued would have been avoided. And if any further proof of the correctness of this representation of the facts was required, they had it in the fact that modifications were made subsequently by the Government of Bombay, and repeated at Calcutta, in the methods of search for plague patients, which virtually conceded all that was asked for by the Native Press. (Hear, hear.) He was glad of this, but he regretted that such action should appear to teach India the lesson that reform was only to be won by outrage and violence. He proceeded to call attention to two of the principal changes made in each of the Codes. In the first place there was the alteration made in Section 4. The old section provided that any servant of the Queen should, whilst in the service of her Majesty, be subjected to punishment for acts committed in her dominion or of any Prince of a State in alliance with the Queen. Now, however, the section applied to any offence committed by any Native subject of her Majesty in any place without or beyond British India. That alteration would assuredly produce the impression in India that proceedings would be taken in India against native Indian subjects for words spoken in England under circumstances in which it would be impossible for proceedings to be taken in this country. The second principal change made in the Penal Code was the alteration introduced in regard to the Explanation attached to Section 124A. The original section and Explanation were drafted by the late Sir Fitzjames Stephen, and were to the effect that whoever excited, or attempted to excite, feelings of disaffection to the government established by law in British India, should be punished with transportation for life, or for any term, to which fine might be added, or with imprisonment for a term which might extend for three years, to which fine might be added, or without fine. The explanation of that section was perfectly clear, and put the case in a nutshell. It was that any disapprobation of Government measures which was compatible with the rendering of obedience to the lawful authority was not disaffection. What were the changes introduced by the recent legislation? First, in regard to the section itself, the words "to bring into hatred or contempt" were added, which had the effect of bringing under the powers of the section not only those charged with exciting feelings of disaffection against the Government, but also anyone who did anything calculated to bring the Government into hatred or contempt. He put it to the House whether that offence of disaffection was not left in a dangerously vague condition, for how could any hostile comment be made upon any measure of the Government without incurring risk of exciting contempt for that Government? It was clear that the Government of India, the authority responsible for the peace of the country, considered Section 124A as it stood sufficient to deal with all cases of sedition. They did not ask for any change. How came it about, then? A perusal of the public papers drove them to the conclusion that the change was dictated to the Government of India by the noble lord opposite. The authorities in India responsible for the maintenance of law and order, the Government of India itself, had declared in unmistakable language that no alteration was required in Section 124A. The wording of the section as sent out by the noble lord himself was substantially adopted by the Government of India. They had in favour of the clause remaining as it was the distinguished author of the clause himself, the opinion of the highest Court in India, and the clearly-expressed view of the Government of India; and, on the other hand, in favour of the alteration, the personal opinion of the Secretary for India.

Lord G. Hamilton: I beg pardon. I spoke as Secretary of State in Council.

Mr. Herbert Roberts, continuing, said the noble lord had, no doubt, in his position of supreme authority in regard to India, a perfect right to make any alterations he liked in the Code. But let the House of Commons and the country understand that this change, so much objected to in India and in this country too, had been carried out in direct opposition to the clearly-expressed views of the Government of India itself and because of the views of the noble lord in association with the India Office. So much for the Penal Code. He would now turn to refer very briefly to two of the principal changes made in the Criminal Procedure Code. The first of these was the alteration made in section 108 of the Code. Previously Indian magistrates had possessed powers to require substantial security for good behaviour from vagabonds, intending criminals, and bad characters, and upon their failure to give such security they had the power to imprison for twelve months with hard labour. By this alteration in the law, newspaper editors were to be henceforth classed with those previously considered the dregs of society in India. These editors, let it be noted, were to be tried in future by district magistrates. Let them consider the position. There were obviously grave objections to this extension of the section. In the first place, these magistrates—and he had not a word to say against them as administrators—would have the power, on the vaguest report, to demand security from an editor of a newspaper, and if he could not find it to imprison him without trial for twelve months. It was patent to every one who had studied this question, even superficially, that it was most dangerous to give officials, who were practically the heads of the police in their various districts, the power of judging cases of editors of newspapers. A very dangerous weapon would be put in the hands of magistrates in India by this section. The liberty of the Press under such a law as this was an utter sham. The last change he would refer to in the Criminal Procedure Code was carried out in schedule 2, where it was enacted that sedition cases hitherto triable only by a court of session—by an experienced judge with a jury—would be made triable by district magistrates, or by magistrates of the first class specially empowered. In India any man after a few years' experience could become a district magistrate, and combined in his office, as had been noted, were judicial and executive powers. He submitted that it was manifestly unfair to give such men under such circumstances jurisdiction over sedition cases, involving delicate points of law, which should only be dealt with by men possessing long experience and an intimate knowledge of the law, and who were not in any way connected with the local circumstances. A material change of this kind, abolishing trial by jury, placing judicial powers in the hands of men bound by their office to be prosecutor as well as judge in the case, demanded the immediate attention of Parliament. (Hear, hear.) Referring, in conclusion, to the effect of these changes in the law upon the people of India, he said the strength and extent of the protests made against the legislation was well known to all who had read recent Indian newspapers. But it was not only the Press—English and Indian—which showed the opinion of India upon the question. There was further the strongly expressed opinions of the Native members of the Viceroy's Council during the passing of the Bills. The hon. member referred to the view expressed by the High Courts of Bombay and Calcutta, and by the Anglo-Indian Defence Association and a number of other public bodies in India, all of which clearly proved that the legislation had aroused in every quarter feelings of the strongest resentment against the policy of the Government. These expressions of public opinion formed a body of evidence which, he submitted, the House of Commons could not afford to disregard. The thought of Russia had of late loomed large on the Indian horizon, and had apparently influenced not a little the policy of the Government. He was no alarmist, but he submitted to the House of Commons that that occasion, to say the least of it, was a most unfortunate time for the Government to take up restrictive legislation and an antagonistic attitude to those whom they governed, when the shadow of both the famine and plague still hung over the country, and when a feeling of general unrest pervaded Indian society. He trusted that the time was not far distant when the Government of India would itself see the expediency and wisdom of repealing those restrictive measures, and would, whilst upholding to the utmost the rights due to them as the paramount Power in

India, embark upon and pursue the policy of conciliation and mutual trust towards the masses of the people, upon whose goodwill and confidence the whole fabric of their government in India rested. (Hear, hear.) He begged to move the resolution standing in his name. (Cheers.)

Sir W. Wedderburn said he wished to associate himself with the expressions of congratulation which his hon. friend had extended to the right hon. gentleman, the new Viceroy of India—(hear, hear)—and to join in the hope that he would govern India in sympathy with the masses of the population, and with that success which they might hope for from his conspicuous abilities. (Cheers.) Turning to the amendment, he was very glad that his hon. friend had been successful in the ballot, and had thus been able to bring on his amendment directed against the new Sedition Laws, because he (Sir William) considered that all the errors of the present Government culminated in this attack upon free expression of opinion. Within the last few years there had been a new departure in Indian policy. A policy had been adopted leading to aggression abroad and repression at home; and in order to carry out this policy we had been obliged to abandon our time-honoured British methods, and to adopt Russianised methods. (Ministerial cries of "Oh!") Thus we found ourselves compelled to take this final step, and to suppress freedom of speech. Criticism must be silenced because our doings in India would not stand the test of criticism. Fortunately it was not yet too late to retrace our steps if the House would only look the facts fairly in the face. He proposed, therefore, to address himself to two points; first, to show that by this new departure we had left the path of assured safety and success; and secondly, that the results of following the new Russianised policy had been disastrous to us both politically and financially. Now first, with regard to the new departure, he said that the old policy was the right one, the wise and humane policy of Lord Lawrence and Lord Ripon. (Cheers.) That policy was founded upon trust in the people; and its fruits were friendly neighbours beyond the frontier, a contented and grateful people within our borders, reduced taxation, and a full treasury.

Lord G. Hamilton: No; constant debts.

Sir W. Wedderburn: I was in India during the whole of that period, and I speak of what I know. The noble lord will have an opportunity of replying. Now all this had been reversed. Instead of friendly neighbours we had established a blood-feud with the brave tribes who inhabited the mountains beyond our borders, and had insured their permanent hostility by an irritating and unjust occupation of their territory. He did not suppose that even now the noble lord the Secretary of State for India would admit that his "forward" policy had proved a disastrous failure; but that seemed to be the universal judgment of public opinion in India, whether Indian or Anglo-Indian, whether official or non-official. (Hear, hear.) As they knew, the Indian Press and the Indian National Congress had always been opposed to this policy of wild military adventure; but the novel feature in the case was that Anglo-Indian opinion had now become converted to the same view, as shown recently at Simla, when the Hon. Mr. Thorburn—(hear, hear)—made his memorable attack on the "forward" policy, and was cheered to the echo by the *élite* of Simla society, as if, to quote Sir James Westland's words, they had been a meeting of the Indian National Congress. (Laughter.) The importance of this Simla meeting would be understood when he reminded the House that Sir Edwin Collen, the Military Member of Council, was in the chair, and among the audience were included the Viceroy, the Commander-in-Chief, the Lieutenant-Governor of the Punjab, and all the leading officials, civil and military. He would like to draw the particular attention of the House to the views expressed by Mr. Thorburn, who held the responsible position of Financial Commissioner of the Punjab. Nothing could be more graphic or more accurate than his review of the facts. This was how he described the "jerry-built" trans-frontier schemes and their collapse: "Speaking as a very old frontier officer, he claimed to know something of the ways of Pathans. He had watched the progress of that policy of expansion, which culminated last June, July and August in a conflagration which extended from Peshawar to Kurram. The flimsy, costly and inflammable jerry-buildings—(hear, hear)—which we had been running up then caught fire and were almost burned to the ground. The Indian fire brigade was summoned, and the fire was put out, but not before 2,000 lives had been lost and pauper India had been called upon to pay a bill of nearly 2½ millions sterling." In equally picturesque terms Mr. Thorburn pointed out that the true cause of the outbreak was the natural belief of the tribes beyond our frontier that they were being deprived of their independence: "We demarcated the hinterland of our districts and announced that all within that boundary was within the political frontier of India. Naturally the tribesmen thought it was the first step to annexation. This was the root cause of the trouble. Last year he had asked representative Mahometans, Sikhs, and Hindus of the Rawal Pindi division what they considered the cause of the frontier disturbances, and they almost without exception gave the same answer—the 'high-handedness' and 'graspingness' of the Government." Not only were the sentiments of Mr. Thorburn received with "prolonged cheers" by the audience, but they were also applauded by all the leading Anglo-Indian papers, such as the *Pioneer*, the *Englishman*, the *Madras Mail*, and the *Bombay Gazette*, and even the *Times of India*, which had been the principal advocate of the "forward" policy, had to admit that Sir James Westland's defence of the Government was "singularly tame and halting." (Hear, hear.) Also the *Pioneer*, which was ordinarily regarded as a quasi-official paper, was unkind enough to point out that in 1894 Sir James Westland signed a Minute jointly with Sir Antony MacDonnell and Sir Charles Pritchard, warning the Government that if they insisted on establishing posts in tribal territory, they would be pursuing a course "eminently calculated to set the whole frontier in a blaze." Even the Simla correspondent of the *Times* seemed to have thrown over the Government, pointing out, with reference to the fresh troubles now brewing, that the Nawab of Dir, being subsidised by us, was on this account detested by every clan whose love of independence made them resent the British occupation of Malakand and Chakdara. Looking to all these expressions of opinion he (Sir William) claimed that by general consent in India the Government "forward" policy had proved wrong in principle and disastrous in results. He would now proceed briefly to examine the effect of the new departure on home affairs. But before doing so he would ask the noble lord a practical question with reference to his new Sedition Acts, and that was, was he going to take any proceedings against these Anglo-Indian papers for their attacks upon the Government? (Laughter and cheers.) For example, the *Pioneer*, referring to the Khyber incident, called it "a shameful and inexcusable blunder," and all the Anglo-Indian papers seemed to endorse the opinion that August 23, when the brave Khyber Rifles were left to their fate, was one of "pain, shame, and humiliation to every Englishman in India." Surely such words tended to bring the Government into contempt? But worse remained behind, for the *Bombay Gazette* suggested a very sinister motive for abandoning these men in the Khyber Pass. It asked, "What was the object of this singular inaction in presence of a known danger?" and it replied, "The suggestion has been made that the intention was to allow the movement of the tribes to develop, so as to furnish a reasonable pretext for lifting the purdah of the Tirah and annexing that desirable sanitarium, as it was then believed to be." Could any suggestion be more damaging? The idea put forward was that the Government used these poor men as a sort of bait to lure on the Afridis, in the same way that people tied up a kid in the jungle, so that they might shoot the tiger and get its skin. He therefore asked the noble lord whether he proposed to prosecute these Anglo-Indian papers under his new Section 124A? (Hear, hear.) The Secretary of State could not fail to see that such imputations tended directly to bring the Government into hatred and contempt, but the question was whether he would be prepared to tackle such formidable adversaries. (Hear, hear.) For his own part he (Sir William) had the profoundest disbelief in the efficacy of Press prosecutions. But after all, sauce for the goose was sauce for the gander, and he did not see why all the terrors of the law should be reserved for the weak and defenceless. (Hear, hear.) Now, as regards the evil effects of this war policy upon the internal condition of India. Mr. Thorburn in his address pointed out that the vast expense of these trans-frontier wars had resulted in "the long starvation of the civil administration of India." What did that mean, as affecting the masses of the population? It meant failure to provide against famine and pestilence by agricultural development, by fiscal reforms, and by sanitary improvements. But this vast expenditure had done more than that. It had resulted in an increased burden of taxation upon the necessaries of life. The unhappy half-starved rayat had to pay tax on the salt he ate, on the oil he burnt, on the strip of cotton cloth which he tied round his loins. On his salt he paid tax at the rate of 2,000 per cent., that is, for leave to consume one pennyworth of salt he must pay a fee of 20 pence to the Government. Not only was he over-taxed, but he was over-rented by the Government as universal landlord. He (Sir William) had the authority of Sir Bartle Frere for saying that in a large class of cases the Government demand not only took the whole of the true rent, but trenched on the profits of stock and the wages of labour. He had himself brought to the notice of the Secretary of State cases where the rent had been raised tenfold at one stroke, but he was unable to obtain any redress. What was the result of all this? The result was the ruin of the great body of the peasantry. As a rule the rayat now possessed no store of food, of money, or of credit. He not only possessed nothing, but much less than nothing, for he was hopelessly in debt to the money-lender. The consequence was that the peasantry were half-starved, they had no stamina to resist even the first attacks of famine and pestilence, and the failure of one harvest caused them to die in thousands and tens of thousands. If such had been the results of the present policy to the masses of India, why, in the name of humanity and common sense, not return to the kindlier spirit of the older times which brought rest and contentment to the people? (Hear, hear.) The right and safe policy was the British policy of trust in the people—(hear, hear)—for the Indian people were deserving of trust; they were gentle, intelligent, and law-abiding. The ruinous policy was the Russian policy of trust in police repression. (Hear, hear.) The police in India were a broken reed which would pierce the hand that leaned upon it. Did not the noble lord yet see how true were the words of Sir Griffith Evans when he pointed out that the Government was habitually deceived by its informants? Had the case of the brothers Natu not been an object-lesson to him in this respect? The Secretary of State knew now how completely misinformed he was in that matter. He deported the Natus because he believed they were engaged in a conspiracy which led to the assassination of Mr. Rand, and he told the House of Commons that the murder was not the work of an isolated fanatic. He now knew that the deed was that of the fanatic Chapekar, acting by himself. Chapekar had been convicted and executed on that understanding, and Mr. Crowe, the judge of Poona who tried the case, had publicly declared that, after watching all the evidence carefully, he found "no indication of any conspiracy or design on the part of any section of the Poona community which could have prompted the crime." (Hear, hear.) On the contrary, he stated that under the plague infliction the people of Poona had "set an example as law-abiding citizens, not only to the rest of the Presidency, but to the whole Empire." It was very extraordinary that, after this authoritative declaration, the Natus were still detained, and the punitive police in Poona had not yet been withdrawn. In conclusion, he returned to the point from which he began, and urged the House to drop these poor imitations of Russian methods and revert to the good British principles—(cheers)—upon which our rule was founded, and which had always produced contentment and prosperity. (Cheers.) And he solemnly warned the noble lord that in suppressing freedom of speech he was preparing for himself a world of trouble. What we needed in our Indian administration was more light, and those who sought to extinguish such light as we now had were gravely endangering the safety of our great national inheritance. He begged to second the amendment of his hon. friend. (Cheers.)

Sir A. Scoble observed that the hon. baronet who seconded the amendment very wisely abstained from saying anything about it—(laughter)—and he did not propose to follow him in his very discursive remarks on the government of India generally. The amendment of the hon. member for Denbighshire declared that the recent alteration made in relation to sedition and the control of the Press in India was a distinct departure from the traditional policy of the Indian Government in regard to the Press and to public criticism. The hon. member dwelt very lightly on that part of the resolution, and he was wise in doing so, for when they came to look into the matter they found there had been no extension whatever of the law, which was precisely the same as it was when the Indian Code was first passed. (Hear, hear.) In substance and effect the recent alteration introduced no new element and no greater punishment than did the old law of India with regard to sedition, as that law existed before 1860. (Hear, hear.) The Indian Penal Code was based on the law of England, but by some unintentional or accidental omission the original 113th section was not introduced into the Indian Penal Code of 1860, and in consequence of that omission the old penal law, which was the law of England with regard to seditious libel, remained in force until the enactment of 1870, which amended the Penal Code. The only new element which the amendment of the law had introduced consisted of the words "brings or attempts to bring into hatred or contempt," which were the commonest form of words that could be used to describe seditious libel. The interpretation put upon these words by the Lord Chief Justice in Calcutta, by Mr. Justice Strachey in Bombay, and by other Courts, whose rulings had been supported by the unanimous decision of the Privy Council in this country, was to the effect that the clause relating to sedition as it originally stood meant nothing more nor less than the clause as it stood now. (Hear, hear.) When his hon. friend came down and asked the House to believe that important alterations had been made in the law of India with regard to seditious libels, the facts only required to be stated to convince the House that there was no foundation whatever for saying there had been any material alteration of the law, and still less foundation for the assertion that the law as it now stood was a distinct departure from the traditional policy of the Government of India. (Hear, hear.) The hon. member who moved the amendment and the hon. baronet who seconded it went on to say that the effect of this legislation was to restrict freedom of comment upon the acts of the Government of India, and freedom of speech in regard to the policy of the Government on the part of the people. But they forgot to inform the House of the fact that the very law of which they complained exempted from its operation any comment on the measures of the Government or disapprobation of the administrative action of the Government providing that it was not made in a manner involving disaffection or disloyalty to the Government itself. What further liberty could any newspaper require, and how could anyone stand up and say that the freedom of the Press was not sufficiently secured? (Hear, hear.) The hon. member for Denbighshire, in claiming this exaggerated immunity for the newspapers of India, referred in his amendment—though not in his speech—"to the exceptional part played by the Indian Press as the only medium for expressing the opinion of the people as to Government measures." Whatever might have been the position of the Press some years ago as the only medium for publicly expressing the criticisms and opinions of the people on the Government of India, that was not the state of affairs at the present time, for in the Legislative Councils there were a number of gentlemen who had practically no dependence whatever upon the Government, with just as much liberty to ask questions on this subject as was enjoyed by members of the House of Commons. (Hear, hear.) They had the fullest liberty of discussion, not only upon the legislative but upon the administrative measures of the Government when the annual Budget came on. With regard to the extension of the Penal Code to offences committed by a British subject outside British India, there was no doubt that that was desirable. The object of the provision was perfectly clear, as was shown by the illustrations. For instance, a coolie who committed a murder in Uganda and escaped, and afterwards went to India, could be tried in any place in British India. (Hear, hear.) A European British subject who committed a murder in Kashmir could be tried in any place in British India in which he might be found. Could anyone say that that was not a useful provision? (Hear, hear.) His hon. friend opposed it because he feared that somebody carried away by his feelings might make a disaffected speech in London, and when he went back to India might be prosecuted.

Mr. Herbert Roberts said that what he had stated was that material alterations had been made in the code, alterations which, in his humble judgment, were undesirable.

Sir A. Scoble said that he had shown that there were material reasons why the alterations should be made. (Hear, hear.) Besides, if the hon. member did not know it, the hon. baronet the member for Banffshire knew very well that there were places in India under foreign jurisdiction where formerly it was not possible for the English criminal law to operate. There were Chandarnagar and Pondicherry belonging to France, and Goa and Damaun belonging to Portugal, places which, until the passing of this Act, were Alsatias, where criminals could take refuge and could not be reached. Now, however, criminals could be reached wherever they showed their noses in British India. His hon. friend said that recent legislation put newspaper editors on a level with the dregs of the population. If newspaper editors liked to degrade themselves to that level they could not expect to be treated otherwise; but it was not the fact that they were reduced to that level. The section applied not only to newspaper editors, but to a number of other people. For instance, he supposed his hon. friend knew that the recent troubles on the frontier were very much stimulated by the action of two fanatics, who went about from village to village preaching rebellion and stirring up the country. Did anybody mean to say that it would be right to let those people go about in India preaching sedition without having some short and strict method of dealing with them? Why should not anyone who contravened section 124A of the Penal Code by preaching rebellion against the Government, or who stirred up animosity between contending classes such as the Mahometans and Parsees in Bombay, or the Mahometans and Hindus in the North-West Provinces, be called upon to render an account of his actions and give securities? (Hear, hear.) They did not want to institute a prosecution against every petty preacher of sedition; what they wanted was to bring such people before a competent authority and make them give security for their good behaviour for some time to come. If they did not do that they must go to gaol like other people who could not give such security; but they were very well treated in gaol, and were not required to do hard labour. He could not see how in this there was any infraction of the liberty of the Press. Moreover, prosecutions against newspaper people could only be undertaken with the sanction of the Government, and there was no fear therefore that a thin-skinned collector or a testy judge would be able to lay by the heels anyone who made a few remarks about him. The High Court also had the power of revision. His hon. friend the member for Denbighshire, therefore, had entirely failed to make out the two propositions on which his resolution rested. He believed there was a sort of impression somewhere that these Press offences could be tried without a jury, but no right that anyone had to be tried by a jury before the passing of this Act was in the slightest degree impaired by the Act. While associating himself most thoroughly with previous speakers in wishing God-speed to the new Viceroy of India, and hoping that the right hon. gentleman would do as great justice to the important part he was now called upon to play in the future as it had been his lot to play up till now, he desired to take this opportunity of expressing his extreme admiration for the conduct of the nobleman whose place the late Under-Secretary for Foreign Affairs was to fill. Lord Elgin, during his Viceroyalty, had to contend with more difficulties possibly than any of his predecessors, for he had to contend not only against war, famine, and pestilence, but also against unexampled financial difficulties. Everyone must recognise that Lord Elgin in those arduous circumstances had shown firmness of mind of a rare quality, and he desired to make this public recognition on his own part—and he was sure it was the feeling of the House generally as well as of the country—of the high appreciation in which his services were held. (Cheers.)

Mr. Haldane wished to join in the generous tribute which had been paid by the hon. and learned member to Lord Elgin, and to say, with reference to the distinguished member who was leaving them, that, whatever the character of the views which separated sections of the House, all would join in expressing their best wishes for his future in the great post which he had been called upon to fill. (Hear, hear.) He wished to recall to the minds of hon. members the grave situation in which the House of Commons was placed. After all, the House of Commons was the only forum in which the action of the Secretary of State could be examined and considered. (Hear, hear.) The government of India was undoubtedly a very difficult matter, and it was hard to judge of it from a distance; but the question before the House at present seemed to be a very plain one. The House was asked to express its approbation of a certain course of policy, and his criticism upon it was this—the policy was a retrograde policy. (Cheers.) While in India they had an increase of civilisation and education among the people, while the daily Press, conducted by highly-educated men, was rising in the standard of knowledge, the Government was passing a law which would not be tolerated here, and would only be tolerated in India because of the non-existence there of the same public institutions which prevailed here. (Hear, hear.) Though it was extremely difficult to govern a great country like India, with its conflicting races and opinions, he was inclined to look with considerable misgiving on an alteration of the law which was distinctly retrograde in its tendency, and which dealt with a class of men who were rising in educational capacity and were becoming more and more the guardians of the liberties of the people in the absence of popular institutions through which those liberties could be defended. He had listened to the speech of the last speaker, and he heard it declared that Clause 124A in the new law as it now stood was substantially the law under the old code. If that was so, then it seemed to him that the Government was in a peculiar position, because with the knowledge that the judges had interpreted the law, the Indian Government, in speaking of the working of the section, said that it might, indeed, be possible by redrafting to make its meaning more clear, but they thought it unwise to make any revision of it as far as the interpretation placed upon it by the courts in India. The expression "disaffection" was wide enough to include all the things necessary to put down sedition in India; it also included "hatred or contempt." The Indian Government drafted a new clause which imported words something quite different from the opinion of Mr. Justice Strachey, and made an addition to the law as it stood before. "Disaffection" also included "disloyalty and all feelings of enmity;" so that four things were penal—hatred, contempt, disloyalty, and all feelings of enmity. To his mind this was a very grave extension of the words of the section. (Hear, hear.) While not afraid of such an extension in this country on account of the jury standing between the prisoner and conviction, in a country like India, where trial by jury was not a general institution, the situation was a very different one. (Hear, hear.) The Government accompanied this alteration of the Penal Code with an alteration of the Criminal Code, which enabled a judge, without the security of a jury, to send a person to prison. The House was being asked by the Government to sanction in India a course which would not be tolerated in this country and which he regarded as reactionary. It was the duty of the House to scrutinise very closely the alteration which had been made in the section and to take care that nothing was done which would be likely to injure our interests in India, or to inflict injustice upon the people of that great dependency. (Cheers.)

The Solicitor-General regretted that it had been said that the effect of this legislation would be to put the Government of India into a position of antagonism to the people. He did not agree with that, but he was afraid that a statement of that kind made in that House would be likely to work mischief when circulated in India. (Hear, hear.) There was no antagonism between the Government and the people, and this legislation was introduced in the interests of

the people of India themselves. It must be remembered that India was not inhabited by one uniform and homogeneous race. It was inhabited by a vast variety of races professing different religions, and between the various sections of the population there prevailed a state of feeling which necessitated careful management, and affairs were so critical that things which might be said in this country without producing any evil effects might in India have results of a most disastrous character. The hon. baronet opposite had suggested that the Government of India were having recourse to Russianised methods. As a matter of fact, the law as enacted by this section was exactly the same as the law of England at the present moment. In his digest of the criminal law the late Sir James Stephen defined seditious intention as an intention to bring into hatred or contempt or to excite disaffection against the person of her Majesty, or the Government, or the constitution of the United Kingdom, or either House of Parliament, or to raise discontent and disaffection among her Majesty's subjects, or to promote ill-will and hostility between different classes of her Majesty's subjects. There was nothing in the words which had been introduced into the Indian Code which did not embody the law of England as expounded by Sir James Stephen. And yet the hon. baronet thought fit to apply the epithet "Russianising" to the course which had been taken. The hon. and learned member for Haddingtonshire did not dispute that the articles under consideration did embody substantially the law of England; but the hon. and learned member suggested that these articles extended the law previously in force in India. If that were the case he did not think that anyone need be very apprehensive in the interests of liberty. To bring the law of India into conformity with the law of England, which had always leant to the side of freedom, was not a change which was likely to result in unwarranted interference with individual liberty. He maintained that it was advisable to put into plain and explicit language in the Code the result of the legal interpretations of section 124A, and that was all that had been done. He denied that section 124A had been extended. The expression used in the old Code was "disaffection." That had been explained by Chief Justice Edge and other authorities to mean disloyalty, the stirring up of a feeling of active dislike towards the Government, and what had been done here was simply to say that whoever brought the Government into hatred or contempt, or incited, or endeavoured to incite, to disaffection should be punished in a certain way. There was really no substantive alteration in the law. The framers of the section had merely expressed clearly and at large what the old section, as judicially interpreted, meant. When a country had to be dealt with in which to a great extent the law was not administered by juries, surely the right and reasonable course was taken when it was determined that there should be a very clear and explicit statement of the law, not altering or extending it, but putting before those whose duty it was to administer the law a clear and definite statement of what the offence was. That had been the object of their legislation. As to the power given to a magistrate to require security from a person who disseminated seditious doctrines, it must be remembered that in India fanaticism was always smouldering, and if a magistrate knew that there was a preacher of sedition in his district and that if he was unchecked the smoulder would break out into open flame, was he, out of a pedantic regard for institutions, to stand by with his arms folded and take no steps to prevent untold evil to the community? (Hear, hear.) In the circumstances which attended our rule in India he contended the magistrates ought to have these powers, which could do no harm and might do an enormous amount of good. (Hear, hear.) As to the way in which the Press was affected by this legislation, it was really put on a sort of pinnacle. It was provided that anyone propagating sedition might be required to give security to cease his practices, but in the case of a newspaper the security could not be required unless with the consent of the Government. (Hear, hear.)

Mr. Pickersgill said he could assure the learned Solicitor-General that they upon that side of the House were at least as anxious as he was to maintain the spirit of English law, and it was because they believed that the spirit of English law had been grossly disregarded that they called in question the recent action of the Indian Government. (Hear, hear.) He was glad to hear the hon. and learned gentleman quote Stephen's definition of the "intent" in sedition, for thus unconsciously he made the more prominent what was the characteristic defect of the new clause respecting sedition in the Indian Penal Code, namely, that from first to last it did not contain a single word about intention. (Hear, hear.) The Indian members of the Viceroy's Council made strenuous efforts to import into the new definition of sedition a clear indication of intent—(hear, hear)—but they were overborne by the English and official members. In this action the Indian members were well-advised: for since the close of the great controversy which culminated in the passing of Fox's Libel Act in 1892, the gist of the offence of sedition in this country had been a seditious "intention." (Hear, hear.) It was idle, therefore, to take a passage from a judgment of Lord Kenyon more than a hundred years ago, to pitch it bodily into a statute, and to say that that represented the current law of sedition in this country. It did nothing of the kind. The Solicitor-General quoted Stephen. But a text-writer—even Stephen himself—was no authority. Why did he not quote recent judicial utterances? (Hear, hear.) The charges of Mr. Justice Cave in *R. v. Burns* at the Old Bailey, and of Mr. Justice Fitzgerald in *R. v. Sullivan*, showed that in England, and even in Ireland, the gist of sedition at the present day was incitement to public disorder, or to resist the lawful authority of the Government. (Hear, hear.) All this talk, then, about hatred and illwill, and the rest, was mere antiquarian pedantry, which had nothing to do with the substantial issues which were raised upon a trial for sedition in this country. The learned Solicitor-General said that it was unnecessary to define the "intent" in the statute, because a man was taken to intend the natural consequences of his acts. He could assure the learned gentleman that he (Mr. Pickersgill) was very familiar with that so-called rule of law, and he was equally familiar, as he was certain that the Solicitor-General was, with the limitations to which it was subject. In the very case already cited Mr. Justice Cave said that this proposition was at most only a "good working rule," but that if it was shown by the circumstances of the case that the person charged did not actually intend the consequences of his acts, a jury could not be asked to act on what had then become a legal fiction. (Cheers.) Secondly, the grounds upon which the new law of sedition in India was based had entirely broken down. Mr. Chalmers, in introducing the new provisions, said: "Language may be tolerated in England which is unsafe in India. Look at the Poona murders." Well, it had now been clearly proved that the cowardly crime to which Mr. Chalmers referred proceeded from a quarter where the healthy influence of Press criticism and constitutional agitation had never penetrated. (Hear, hear.) Thirdly, he submitted that this new weapon was specially dangerous in the hands of the Government, having regard to the conditions existing in India. He would illustrate what he meant by an incident in the career of a very exalted personage, namely Lord Harris. His authority was Sir John Jardine, an Anglo-Indian Judge of the highest position and character, who wrote as follows over his signature in the current number of the *Asiatic Quarterly Review*: "Lord Harris some time ago craved sympathy in the *Times* newspaper because of the acquittal of a Pindaric poet in 1893 by the High Court. He had got this man convicted by a magistrate on the ground that the string of psalms and odes contained a line or two of sedition. Lord Harris may well feel sore at the ignorance of the Gujerathi tongue shown by his advisers. *The prosecution believed that some lines lauding the Hindus for beating off a crowd of murderers were a praise of them for attacking a regiment called out and under arms to preserve order.* Lord Harris had no literary witness; and the person who smelt the sedition was a European policeman." He would only add that Lord Harris deserved to be chaffed to his dying day for permitting himself to be thus bamboozled by "a policeman who smelt sedition"; and still more for sitting down, years afterwards, and solemnly inditing a letter to the *Times*, recalling the memory of the trick which had been played upon him. (Hear, hear.) The incident admirably showed that India was the most dangerous country in the world in which to let loose a vague law of sedition. (Cheers.) Next, he would like to extract from the Secretary for India some information respecting the Press Committees of which they had heard. (Hear, hear.) It seemed certain that such committees had been established, at all events in the Bombay Presidency. The official explanation, which was not re-assuring, was as follows: "The Committee is available for use, if the district magistrate thinks fit, as an intermediary between himself and the Press of his district." What was this but the establishment of a censorship of the Press in India? (Hear, hear.) Lastly, the circumstances under which the new legisla ion respecting sedition had been enacted were very significant. It was clear, in the first place, that the Government in India objected to any change in the substantive law of sedition—(hear, hear)—and that it was forced upon them from home. Secondly, this legislation was carried through with indecent haste.

Lord G. Hamilton: What do you mean?

Mr. Pickersgill: I will tell the noble lord immediately what I mean, and I will add that for this indecent haste he himself is directly responsible. (Hear, hear.) It was prompted from home. The noble lord actually suggested that, to secure despatch, the alterations in the law of procedure respecting sedition should be torn out of the Bill in which they would naturally and properly be placed, and that contrary to all precedent they should be included in the Penal Code Bill. The whole proceedings were abnormal. The Government of India deliberately omitted the obnoxious provisions from the original Bills, and the public knew nothing about them until December 28, when Mr. Chalmers proposed the amendments to the Legislative Council. (Hear, hear.) On page 14 of the Blue-book there was printed a pretentious list of "publications" of the Bills, both in the English Gazettes and in the vernacular languages; but all these "publications" took place prior to December 28, when for the first time the all-important provisions were disclosed. (Hear, hear.) And, further, while it had always been the practice to refer all Bills of any importance for the opinions of representative bodies and associations, in the present case no such reference was made. In conclusion, he could not refrain from drawing attention to the absence to-day of the right hon. member for Wolverhampton (Sir Henry Fowler). Under a Liberal Government he had been Secretary of State for India, and he (Mr. Pickersgill) thought that he ought to have been present, to lead the members of the Opposition in this debate. (Cheers.)

Lord G. Hamilton: Before the House comes to a decision I wish to say a few words on the amendment. I desire to speak on this subject entirely from the administrative point of view. I wish to lay before the House what were the reasons which, from the administrative point of view, led us to make the alterations which are embodied in the law under discussion. Before I proceed to that point perhaps I may be allowed to reciprocate the kindly expressions which fell from the various quarters of the House as regards the new Viceroy of India. (Hear, hear.) This House is always generous in the recognition of ability, and Mr. George Curzon, in an exceedingly arduous position—(hear, hear)—has not only shown remarkable ability as a Parliamentary debater, but in addition he has shown the higher qualities of resource, courage, and perseverance. I am sure we all combine in hoping that his health may be perfectly restored to him, and that the ability which he has shown in this House in connexion with the Foreign Office may be instrumental in developing the prosperity of India and its resources, and in binding her still more closely to the great empire of which she forms part. (Hear, hear.) Now, sir, the discussion to-night mainly turned upon certain alterations of section 124 of the Penal Code of India. I have been accused of all kinds of arbitrary ideas and intentions because, after the fullest consultation with the ablest legal opinion in this country, I came to the conclusion that under the circumstances that clause ought to be redrafted. Now, the hon. gentleman who spoke last has indulged, I think, in a good deal of violent language. He is, perhaps, not aware that for seventeen years past the redrafting of this clause has been under the constant attention of successive administrations, and the administration which expressed the strongest opinion upon the

necessity of the redrafting was Mr. Gladstone's. What was then said by the Secretary of State in 1880 had been represented by some to be a view deserving of the highest respect. What was laid down in 1880 was that the criminal law as applicable to India was practically unworkable, and he proceeded to say "that if this was the case he saw no reason why the existing defect should not be remedied by recourse to such exceptional measures as those provided by the Act of 1878, and he should suggest for the consideration of their lordships in Council whether, in the event of the repeal of the Act of 1878, it might not be desirable to prepare suitable amendments in some of the provisions of the Penal Code." Now this section—section 124A—with its explanation as it stood, was, I think, unworkable for this reason. I hope I may be able to put it in lay language so as to make intelligible to every member of the House what is the main objection. The explanation consisted of conditional negative assertions. The result was that every counsel who defended a prisoner always tried to twist this conditional negative assertion to a positive proposition limiting the definition of the section to which it was attached. That attempt was made right throughout Mr. Tilak's case. The proposition which counsel endeavoured to establish was this—that a man might say and do almost anything in India provided he did not appeal to violence or suggest recourse to violence. Mr. Justice Strachey effectually disposed of that contention. His summing up was endorsed by the full Bench of Bombay and by the highest legal tribunal in the Empire. The hon. member for Banff forgets what some of his associates have been doing in connexion with this clause. It was announced that the Natives never would accept the interpretation Mr. Justice Strachey put on the clause. I therefore thought that, inasmuch as it was proposed to give power to the magistrates of the lower Courts of jurisdiction to apply section 124A, it should be drafted in such a way as to make its meaning absolutely unmistakable—(hear, hear)—and I am informed by the highest legal authorities that the present section merely confirms the old law as judicially interpreted, and goes no further. I am quite satisfied that anybody in my position would have taken the course I have done and have put absolutely beyond doubt what the interpretation of the clause is. (Hear, hear.) Complaint has also been made of that section of the Penal Code which enables magistrates, under certain conditions, to require those individuals whom they believe to be propagating sedition and stirring up discontent to find security. There have been riots in which hundreds of people have lost their lives, and the almost unanimous conclusion of the administrative authorities is that if there had been a clause of this sort they could have stopped many riots and disturbances. When gentlemen get up and talk about the liberty of the Press, I do not think they understand what the liberty of the Press means. A pressman is not exempt from the law of the land because he is associated with the Press. If a pressman commits a murder, I assume he is liable to the law. If he incites to sedition, is he not liable to the law? It must be borne in mind that in India many of the so-called pressmen are the editors, printers, and compositors of their newspapers, and that many of the so-called newspapers are little sheets of paper which are written by one individual; but if they are small they are not the less dangerous. (Cheers.) The hon. gentleman who introduced this subject informed the House that these proposals had caused deep discontent in India. I never heard a more absolutely unfounded statement. A certain limited section of the semi-Europeanised Natives with whom the hon. gentleman and other members of the House have associated themselves have tried to get up discontent, and they have totally and entirely failed. (Cheers.) When the proposal was first made that there was to be a certain alteration in connexion with the law of sedition, it naturally caused a certain flutter of apprehension, and I admit that at the outset there were in certain papers articles antagonistic to the proposals of the Government. Little by little, as the intention of the Government became clear, the opposition gradually disappeared. When I am accused of pushing these proposals forward, I should like to know what hon. gentlemen mean. The proposals were introduced in the Legislative Council, and they were given the widest publicity. They were sent to a large number of public bodies and they were then referred to a select committee. The select committee made a number of changes, and amongst the changes were alterations to section 124A. The proposals came back to the Legislative Council after an interval of some weeks, and they were then discussed in full Council. The greatest publicity was given to the proceedings, and that is what is called pushing legislation. Every precaution and every form associated with legislation in this House was absolutely followed in the present instance. Any tyro in politics knows that if you raise the question of sedition, and if it is necessary to legislate, so soon as you have had time to consider the proposals it is essential they should be passed. Now, let me go back to the agitation. After a little while the whole of the European Press were in favour of the proposals of the Indian Government. The Chamber of Commerce, who at first demurred, were satisfied, and their chairman voted for the proposals. The British Indian Association, after they had considered the Committee's amendments, were so well satisfied that they agreed. There was a large petition presented to the Viceroy purporting to be the opinion of Calcutta, and on that petition there was not a single European or Mahometan name. The Mahometans went further. I ask the House to listen to their opinion, because that opinion, I know, represents not merely Mahometan opinion, but the opinion of the great mass of respectable well-to-do Hindu gentlemen. The hon. secretary of the Central National Mahometan Association wrote to the Chief Secretary to the Government of Bengal to the effect that he was directed by the committee to state that in the opinion of the association the proposed amendment of the Penal Code was a salutary measure and should be adopted. It was a mistake, the secretary of the association added, to suppose that the amendment, if adopted, would in any way interfere with the liberty of the Press. (Hear, hear.) There is another great body which is well known—the Mahometan Literary Society. They expressed a stronger opinion. Mr. A. F. M. Abdur Rahman, writing on January 11 last to the Chief Secretary to the Government of Bengal, said:—"I am directed by the committee of the Mahometan Literary Society to inform his Honour that they are of opinion that circumstances fully necessitated the introduction of the Bill to consolidate and amend the law relating to criminal procedure, and that they have no opinion to offer on the same. I am further directed to inform his Honour the Lieutenant-Governor that the committee have, after due deliberation, come unanimously to the conclusion that the proposed new clause to be inserted after clause 108 of the Criminal Procedure Bill, and the further amendments of the Indian Penal Code to be proposed for the consideration of the Select Committee, will undoubtedly prove beneficial to the public. The Mahometan Literary Society has long felt the want of such a measure as has now been brought forward by the honourable the legal member. Class and sectarian animosities have been known to prevail for many years, which have, in recent years, been aggravated by various circumstances. The intelligent and educated portion of the Mahometan community have sadly felt the seditious effusions in respect of Government officials and Government measures which have characterised and disgraced the columns of a certain class of newspapers. The committee entertain the hope that when the law of sedition is placed on a clear footing, the evil which seems to be the sole object of a certain class of newspapers and agitators to disseminate among the ignorant people of the country will be effectually prevented. For these reasons the committee venture to accord their loyal and unanimous support to the proposed measures." Then, when we get away from the Mahometans, we come to the classes who were opposed to this legislation. There was scarcely in the petitions or memorials a Hindu gentleman well known in commerce who took any part against these measures. The agitation, I am sorry to say, is exclusively confined to two classes—pleaders and editors of newspapers. It must be borne in mind that they are classes whom we have trained; they are the product of our rule. We have given them information they never possessed before, and looking ahead, as one must do, at the difficulties, I do feel strongly that the greatest difficulties which we shall hereafter have to encounter are not those which we inherited or which are inherent in the system, but are those which we have of our own free will created. (Cheers.) Undoubtedly one of the most difficult classes we have to deal with is the result of higher education. For years we have turned out thousands of young men with a purely literary English education. They have practically no means of self-support after they leave college, and the result is they have either to look to Government employment, which can only be given in infinitesimal quantity, or they have to take to newspapers, as many of them do, or to become tutors. It frequently happens that they look upon the Government which does not provide them with employment with disfavour, and some of them undoubtedly indulge in language which, to say the least, is ungrateful. It is not merely that these gentlemen indulge in most extravagant language in speeches and articles which are not intended to attack an individual, or carry out a reform, or stop some unpopular act of Government, but the language is such as strikes at the very root of British rule in India. (Hear, hear.) These gentlemen, who never in the past had any liberty of speech or freedom of action, now as British subjects put forward the most exaggerated pretensions as to what they are entitled to do. The name of one gentleman has been mentioned—the Hon. P. Ananda Charlu, a member of the Council. Now let us hear what his views are. India, as we all know, is full of explosive matter. That being the case, there must be some restriction from time to time, on the principle that you cannot allow a man to smoke a cigar in a powder magazine. The old simile happened to be used in debate in the Council by another member of Council; and what does Mr. Charlu say on the subject: "I join issue with him there. In the first place, I ask, what right has he to deny to anyone the right to smoke even in a powder magazine?" (Laughter.) "Anyone that does so takes the risk of doing so." (Laughter.) "It is his look-out." (Laughter.) "So long as he takes care not to throw away the stump carelessly in the powder magazine and controls the sparks from escaping, what does it matter? Why should he lose his right?" I do not know if the hon. member for Bethnal Green endorses that, but I rather think I should like to confer upon Mr. Charlu the right which he claims, but only on the condition that the hon. baronet and the hon. member opposite sat on the powder barrels. (Laughter.) I do not think we should ever hear anything more about the inherent right of a British Indian subject to smoke a cigar in a powder magazine. (Cheers.) So far from wishing to stop criticism, I welcome it. The hon. baronet read out some extracts and asked me whether I should prosecute the authors. The hon. gentleman must be profoundly ignorant of what appears in Native newspapers. It is my business to read them, and I find that language immeasurably stronger, directed against myself and every member of the Government, habitually appears in them, and nobody dreams of taking any action in respect of them. The Native Press may criticise and censure reasonable or unreasonable acts of the administration. They may call attention to anything they choose, but we cannot allow them to indulge in general attacks which tend to sap the foundations of English rule in India and subvert our empire. I would only too gladly encourage any machinery which would indicate to the Indian Government some idea of the silent subterranean forces which we know are at work or bring to the attention of the Executive the feelings and opinions of the voiceless millions of India; but those patriots who may come in contact with Clause 124A do not represent the poor natives of India. ("Oh.") They represent a class which is an excrescence of our rule in India—the semi-Europeanised class who seem to think that British Government exists for no purpose whatever but to put them in a position in which they can administer the powers of the Empire. We all desire to promote the prosperity and welfare of our Indian fellow-subjects; but of this I am equally certain, that no man who ever holds the post I have the honour to fill would hesitate to act if he has indisputable evidence of movements which may endanger the maintenance of our Indian Empire. We must look ahead. I do not pretend that what the Press may say or do is likely to become a real danger in our day; but, unless something is done to indicate what the views of the Government are, perhaps years hence these evils would become

formidable. What is wanted is not coercion but an expression of the opinion of the Government. I have now been three years in office, and, with scarcely an exception, I find absolute unanimity of opinion upon this matter. All the educated, all the intelligent Native gentlemen I have come in contact with feel equally strongly about it. Unquestionably the Press of India does require guidance, and unquestionably agitation has sprung up in connexion with it which renders it necessary to make the alterations we suggest in the law. At the present moment we are trying to extend the area of British influence in countries which do not belong to us, where commerce may develop, and where we may reap the benefits of that commerce. Surely we should be very foolish if at such a moment we were to disregard what is going on in India and to ignore the attempts which are made to undermine our rule there. We can never hope to establish in other parts of Asia so satisfactory a system as that we have established in India, and it is our bounden duty, by vigilance and caution, to take care that nothing is done to render our task hereafter one which posterity cannot bear. The alterations we have made in criminal procedure will, I believe, be sufficiently effective to enable the Indian Government to deal with the evils I have suggested, while they at the same time leave absolutely untouched that liberty of speech and freedom of action which our Native fellow-subjects enjoy under British rule to an extent which is unknown in any other part of the vast continent of Asia. (Cheers.)

The House divided—

For the amendment	30
Against it	66
Majority against	36

EDUCATION IN INDIA.

SIR M. BHOWNAGGREE KICKS DOWN HIS LADDER.

IMPORTANT SPEECH BY MR. SOUTTAR.

Sir M. Bhownaggree had the following motion on the paper:—To move, "That in the opinion of this House, the system of education at present pursued in British India has proved ineffectual to direct the attention and energies of its people to technical and industrial pursuits, with the result that the productive power of the country has been arrested, making it more and more dependent on foreign manufactures; that as a consequence, considerable sections of its population are rendered helpless, and a sense of discontent is growing up among those classes who, having come under the influence of such education, look to Government only to provide them with the means of livelihood; and that, therefore, this House considers that the time has arrived when a change should be made in the system of public instruction in India, and other adequate measures adopted with a view of remedying these evils." The hon. member prefaced his remarks by alluding to the attack which, he said, had been made on Lord Harris for having, whilst Governor of Bombay, ordered certain prosecutions. Lord Harris personally had nothing to do with them, and any one acquainted with the conditions of administration in India would regard such an imputation against Lord Harris as a serious one.

Mr. Pickersgill, interposing, said he made no accusation against Lord Harris. He simply read an extract from an article by Sir J. Jardine, an Indian Judge. Lord Harris should settle matters with Sir J. Jardine. (Hear, hear.)

Sir M. Bhownaggree said he could not let the incident pass without attempting to justify Lord Harris against the attack which the hon. member made indirectly against him. (Hear, hear.) He had been an ardent advocate of education in India for a long time; he was himself a product of that education, and it would be a great pity if that education were stopped. Nevertheless it had not fulfilled the purposes for which it was designed by the framers of the system, and it had not led in the slightest degree to the development of the vast industrial resources of India. The most competent authorities were agreed on that point. The export trade of India in 1895-96 amounted to Rx. 109,000,000, of which manufactured articles amounted to Rx. 15,000,000. In the same year the import trade of India amounted to Rx. 70,000,000, of which raw materials amounted to Rx. 10,000,000. That meant that from India a large amount of treasure was being drawn every year for the payment of articles not manufactured in India. While out of a population of 32,000,000 in England and Wales 7,000,000 were engaged in industrial pursuits, in India only 3,000,000 out of 300,000,000 were engaged in industrial pursuits. He did not imply that this was one of the effects of British rule. No doubt the volume of the production of raw material in India had vastly increased in the last ten years. But the industrial development of the country had been entirely arrested, and the reason of that was that their system of education was a purely literary one. That system had not conduced in any manner whatever to drive the educated classes to the healthy pursuit of their own industries or even to adopt other industries. If it were to be admitted that it did not matter if India had lost some of its own industries, then the question arose by what that loss had been replaced. The usual answer was by the cotton manufacturing industries. He granted that there was a considerable amount of cotton manufacturing, especially in the western part of India, but he denied that that was enough to make up in any degree whatever the enormous losses which India suffered by the alienation of its own industries. Their system of education was such that it not only did not fit the native of India to produce the articles which were necessary for his own consumption, but it did arouse in his mind a sense of the ultimate effects of that condition of things upon the exchequer of his own country. The most trivial articles of every-day necessity were not manufactured in India by the Natives, and the list of such articles increased in length as the Natives gradually become Europeanised. Even their garments were approaching the European style, boots were in many cases replacing sandals, and so on, while the native industries were dying out. India had vast natural resources, but the natural products, such as raw hides, were in most cases exported to other countries where they were manufactured and afterwards sent back to India and sold at an oppressive price. The Universities gave a classical education, and turned out professional men, but technical knowledge and industry was completely neglected. Medical men were turned out in hundreds, but there was to-day throughout the length and breadth of India no regular native manufacturing chemist. The rising generation ought to be taught the nobility of manual labour. The proper tribunal to consider the whole question would, he thought, be a committee or commission of enquiry. The Government of India was not wanting in sympathy, but hitherto it had not in any substantial degree encouraged the growth of industrial development. They needed organised industrial schools, and a department devoted to the development of industries, and if possible the energies of eminent men who had made industrial development a special study should be directed to the solution of the difficulties which had to be overcome. He urged the noble lord the Secretary of State for India to take this matter into his deep consideration, to refer it to the Government of India, and to do everything in his power to bring about certain changes by which the material prosperity of India might be increased. Before concluding, he desired to congratulate the Government upon the choice they had made of the new Governor-General of India. He believed India had been greatly favoured by the selection for that office of the present Under-Secretary for Foreign Affairs. He trusted it would be the right hon. gentleman's lot to meet with fewer difficulties than had confronted his predecessors. He was sure he would extend to the people of India that sympathy which every statesman occupying that position ought freely to extend to them, and he hoped at the end of his term of office he would leave India more prosperous, more healthy, and in altogether pleasanter conditions than obtained at the present time. (Hear, hear.)

On the return of the Speaker after the usual interval,

Mr. Souttar said that higher education in India had been attacked periodically ever since it had been established, but generally speaking the attack came from Anglo-Indians and cold-weather visitors. There was a novelty about the present attack arising from the circumstance that it came from one who had actually benefited from higher education, so that, in a sense, the Native was attacking himself. The hon. member who had just spoken had begun by declaring that he did not intend to make any attack upon higher education, but he had done it all the same. Well, in this country, it was always considered good form for a man to defend his *Alma Mater*—(hear, hear)—and he thought from the speech of the hon. member that he felt himself in an invidious position, and realised that it was not an edifying thing for a man to kick down the ladder by which he had climbed to fame. (Laughter.) Still it was right that every man should stand by his opinion, and there could not be too much light thrown upon Indian questions. He agreed with the hon. member that very profitable developments were possible in connexion with Indian education, and he also agreed with him that there was far too much aversion in India to manual labour. No one could be in India long without perceiving that there was a sad lack of appreciation of the dignity of labour—an idea that it was degrading for a man of spirit to use his hands for anything heavier than quill-driving. How entirely that had got possession of certain classes in the community one could not realise without living in India. He also agreed that this shirking of manual labour diminished producing power, and therefore tended to impoverish the country. He did not agree with the method by which the hon. member tried to prove his contention. (Hear, hear.) He seemed to be alarmed at the amount of the imports. The amount of imports need never be a cause of alarm. (Hear, hear.) No man ever became impoverished by getting too much, though some had by giving too much. The more India imported the better for India and the richer she must be getting. There could be no greater mistake than to imagine that imports drained money out of the country. (Hear, hear.) Imports were paid for with exports, and if India was getting the productions of other countries, she must be giving in exchange the productions of her own. Moreover the evil, undoubted though it was, must not be exaggerated. After all it mostly applied to a class of men in the great cities, and when the whole Indian population was considered, these would be found to form but a small fraction. (Hear, hear.) The great mass of the Indian people lived in the country, they were poor rayats and coolies who had no fine feelings with regard to manual labour, but had to toil from morning to night, and year end to year end unceasingly. Nevertheless India did suffer greatly because of this "better-class" prejudice. They might have labour without education, but labour would not progress without it, and India was standing still to-day and allowing small countries like Japan to pass her in the race, because the men who should be inventing, building factories, and developing new industries, who should be pioneers to guide their countrymen into "the promised land of civilisation," were standing proudly aside, ashamed to soil their hands with honest toil. There was much said about tempting English capital to India. What India wanted, far more than capital, was that leaders of industry should arise amongst her own people. (Cheers.) So far, therefore, he was in accord with the hon. member, but at this point came the parting of the ways. For, allowing all this, was it the result of higher education? He believed that the very opposite was the case. (Cheers.) It would indeed be a strange thing if education would have this effect in India only. (Hear, hear.) Elsewhere they knew that these foolish prejudices were the offspring of ignorance and that they were best counteracted by the acquisition of knowledge. (Hear, hear.) Moreover, if higher education was the cause of this prejudice, then they might expect to find the uneducated free from it. This, however, was not so; but he thought that it was seen in its most accentuated form amongst the uneducated and the poor. (Hear, hear.) There was a saying in America that the less a man had to be proud of, the prouder he was of his colour, and in India he believed the less a man had to be proud of the more careful he was not to stain his hands. He remembered on one occasion doing some work at a corner of the Maidan in Calcutta, where tramps congregate in order to beg from the *Khitmugars*—who pass to the city with their masters' lunch—the bones and fragments that are left; and as he

wanted a little timber moved, he asked his engineer to give the poor wretches a job. Would hon. gentlemen believe that though he was willing to give these men more for an hour's work than they would have earned in a week by begging, not one of them would degrade himself by lifting a bit of timber and carrying it a hundred yards. Well, this was bad, but nobody could contend that in this case it had anything to do with higher education—(laughter)—for he doubted if many of the tramps could have written their names. The disease was unfortunately of much longer growth than European education. The hon. member had spoken of education as having arrested industrial enterprise in India. It had arrested nothing, but had rather furthered enterprise. (Cheers.) This leprosy went back to the very foundations of Indian society, to the time when Manu taught that Brahmins should not engage in agriculture or manufacture, but should leave all manual labour to the lower castes. This teaching was injurious to the nation, for in order that there might be true prosperity in a nation every man must be absolutely free to follow the line for which he was best fitted without let or hindrance. (Hear, hear.) There could be no better antidote to this teaching than European education. (Hear, hear.) The hon. member had spoken of "our system" as if some special and peculiar system had been foisted upon India by the British. Of course they all knew that the value of education did not lie so much in the matter which was learned as in the training of the intellect, and the higher education which had been introduced in India was the very same as that which Scotch and English fathers were giving to their own sons. He believed that instead of that education fostering these prejudices it was slowly undermining them. (Cheers.) He was aware that in Calcutta and in Bombay a change was coming over the feeling of the people, and that high-caste young men who were unable to obtain the appointments which they naturally enough coveted were breaking through the prejudice of ages and turning their attention to honest trades hitherto monopolised by men of lower castes. The very last mail had brought an account of an Industrial Association in Calcutta which had been holding exhibitions, and making experiments in silk and other manufactures for years past. These were favourable signs, and he believed that they were the result of higher education. (Hear, hear.) If we tampered with the education of the people, progress would be checked, and India would be thrown back into the hands of Manu and other legendary lawgivers, who divided India into iron-bound sections and gave to each section its iron-bound occupation. But really, whatever our views might be, higher education was now absolutely essential in India. (Hear, hear.) First, it was essential to the existence of our administration. (Hear, hear.) We smiled at Natives who were anxious to get Government appointments in India, but had we ever reflected how impossible our Government would find it to get on without highly educated Natives? Seventy years ago Lord William Bentinck had gone to India and found a deficit there, and he had begun to systematically employ Natives in higher posts than had been formerly open to them, with the result that in seven years he had changed the deficit into a surplus. They saw every year how hard it was to make both ends meet in India. The difficulty arose partly at least because of the salaries and pensions which had to be paid to Europeans. He had nothing to say against these. They were excellent men, well worth the money, but it was quite evident that much more cargo of the same sort would swamp the ship. (Hear, hear.) The use of Europeans could not be extended. It was absolutely necessary that the subordinate appointments in India should be filled by Natives. Had hon. gentlemen reflected how numerous these appointments must always be? Had they realised that there were thousands of deputy magistrates, of subordinate judges, of higher clerks, and of assistants of every grade whose duties were only second in importance sometimes to those of their European chief? (Hear, hear.) In most of the Governments ten Natives had to be employed for one European, and if this was necessary, surely education was necessary, nor was it exaggeration to say that without higher education our rule in India, on present lines at all events, would be impossible. (Cheers.) Second, it was necessary for our commerce. (Hear, hear.) If Government offices needed so many educated men, what about the banks, the mercantile offices, the shipping offices, the Custom Houses, the railways? (Hear, hear.) In these, Natives swarmed and must swarm, first, because they were so much cheaper, but, second, because with their knowledge of the Vernacular, or two or three Vernaculars, and their knowledge of English, they formed a necessary link—(hear, hear)—between the supply of the British market and the demand of the Native bazar, without which commerce with India would be impossible. (Hear, hear.) The educated Native in India was therefore not a luxury but a necessity, without whom we could neither govern nor make money. But they might take higher ground, and say that, third, higher education was essential to the moral well-being of India. (Hear, hear.) There could be no doubt that there had been great improvement in the moral tone of certain classes, and it was largely due to higher education. In early days it had not been easy to get Natives for high posts who were undoubtedly above the influence of bribery. There was now not the slightest difficulty. (Hear, hear.) Thus education had not only produced a higher intellectual fitness, but had also raised the moral character of those who had partaken of its advantages, and was supplying both Government and the mercantile community with servants to whose probity they might increasingly trust. (Cheers.) Fourth, higher education was improving the condition of women. (Hear, hear.) There was no greater obstacle to the advancement of the Indian race than arose from the unfortunate condition of their women, and higher education was the best method of advancing reform in this direction. Already higher education had opened the zenanas to lady teachers, and he hoped that the advance would be more rapid, and that some day Indian women would be released from the sad and enervating seclusion, in the continuance of which, amongst the Hindus at any rate, religion had no part. (Hear, hear.) Thus he had tried to establish two contentions. First, that there was in India an evil prejudice against manual labour, and second, that higher education instead of building it up was slowly pulling it down. In his concluding words he would like to ask whether Government might not do something to help to break down the prejudice. He thought they might, not by departing from their policy, but by enlarging its borders and carrying it out in more generous fashion. (Hear, hear.) The real educational difficulty in India was the inadequacy of the Educational grant. (Hear, hear.) In India Government expended one per cent. of the revenue on the education of the people. In European countries, exclusive of the vast private endowments which abound in connexion with education, the Government spent from 3 to 5 per cent. If only half this amount was spent in India what a development there would be. (Hear, hear.) The Government might, he thought, do two things—first, make a more serious effort to promote industrial and technical education. (Hear, hear.) Something had been done in this direction, but it had not been serious. At that moment, when the eyes of young India appeared to be opening, what a chance there was. What a blessing an Indian South Kensington might be made, or an institution like the City and Guilds of London Technical College, placed in Calcutta—not away down the Hooghly at Sibpore, where nobody lived, but right in the very heart of the city amongst the people. (Hear, hear.) Second, Government might do more to encourage young men to learn trades and attend such technical colleges as were provided. (Hear, hear.) This could be done without expense if high marks for knowledge of a trade or for a certificate of proficiency from a technical institute were given in examinations for admission into the Public Works Department, the Railways, the Forest, the Postal and Telegraph Services. Thus, and in many other ways, Government might show that they had taken industry under their wing, and young India would quickly see where her advantage lay. (Hear, hear.) Sixteen years ago the Government appointed a Commission, under eminent leadership, to enquire into the general question of Indian education. Perhaps the time was now ripe for an enquiry into that particular sort of education which would guide the people into habits of industry and teach them to recognise the worth of honest toil. He did not pretend to say how this could best be done, but care should be taken not to injure that higher education which had been so successful—(hear, hear)—and had done so much to reconcile India to British rule. (Hear, hear.) Sorely though India needed industrial pioneers, she also needed magistrates, jurists, public officers and teachers, and if in generously helping the one class they were careful not to injure the other, the result would return a thousandfold in benefit to India and to themselves. (Cheers.)

Mr. V. Gibbs called attention to the conduct of certain civil servants at the end of June last. A lecture was given at Simla by Colonel Hutchinson, the Director-General of Military Education there. Everything said by that gentleman seemed to him perfectly proper, but he was followed by Mr. Thorburn, the Financial Commissioner of the Punjab, who made a violent attack on the policy of the Government of last year. Sir James Westland also made a speech on the occasion. He wished to ask the noble lord to express publicly his opinion of the action of these gentlemen. He contended that if civil servants were allowed to take part in debates on the Government policy there would be an end to all discipline in India. (Hear, hear.) He also had to complain of the treatment of the Khyber Rifles in being left without a European officer. One cause of complaint was that the Indian officials were represented on the Currency Committee, and that, in a manner, they were judges in their own cause.

Lord G. Hamilton said there were no Indian officials on the committee.

Mr. V. Gibbs said what he was pointing out was that there were representatives of the Indian official classes, and he left it to the House to say whether it was desirable, while these discussions were taking place in the committee, an expression of opinion should be made. There was a letter in the *Times* of August 3 on the financial question, and he should listen with great interest to what the noble lord had to say as to how far the enquiry bore out the statement as to illicit coinage. The *Times* very properly said that it had no means of testing the accuracy of the statements of its correspondent; but the man who made them was of high position and character. He thought it was most important that the noble lord should enquire closely into this question. If all that the man said were true it was an appalling danger. There had been a general fall in high-class securities since 1896 from 103 to 88½, and he thought that this called for enquiry and explanation. He hoped that there would soon be published the evidence of the committee as far as it had gone.

THE BRITISH ARMY IN INDIA.

THE STATE AS PROCURESS.

Mr. Stuart wished to call attention to the present condition of the health of the army in India, more particularly in connexion with the despatch sent by the noble lord on March 26 last year. He should like to have laid on the Table the circular, dated November 20, 1897, to the military authorities in India with regard to venereal diseases in the army. In his despatch the noble lord said that "there must be no provision of women for the use of soldiers by any authority, civil or military. There must be no registration of prostitutes other than that which is, or should be enforced for all inhabitants of cantonments, and no granting of licenses to practice prostitution. There must be no compulsory and periodical examination of women." There was at that time on the Statue-book an Act (1895) which exactly embodied in law the advice thus given by the Secretary of State. (Hear, hear.) That Act read as follows:—"That no such rule shall contain any regulation enjoining or permitting any compulsory or periodical examination of any woman for the purpose of ascertaining whether she is or is not suffering from any venereal disease, or is or is not fit for prostitution, or any regulation in the licensing or special registration of prostitutes, or giving legal sanction to the practice of prostitution in any cantonment." The extraordinary thing was that the first step of the Government of India was to ask leave to repeal that Act, which prevented, not the treatment of venereal disease similarly to other diseases, but its treatment differently from other diseases by the adoption of the practices which the noble lord him-

self condemned; and yet he had sanctioned the repeal of that Act. He asked the noble lord for an explanation of this last August, and the noble lord replied to the effect that he did not himself think the repeal necessary, but as the Indian Government thought it was, he allowed them to repeal it, and he would allow no action inconsistent with his despatch. But now the circular of November 20 last was inconsistent with that despatch. (Hear, hear.) In that circular certainly it was stated that venereal diseases were to be treated as others, and there should be no compulsory examination of women, or any licensing for the purposes of prostitution. All that was in accordance with the provisions of the noble lord's despatch, but the circular went on to provide that although there was to be no compulsory examination of women, the medical officer might make arrangements to carry out, from time to time, the examination of women who voluntarily presented themselves. He asked the noble lord to pay particular attention to that point in the light of the statement in his own despatch of July 8, 1897, that great care would also be necessary to ensure that the action of the military authorities was kept strictly within the rules. He contended that they had now reached the third stage in the re-establishment of the old system of examination by the State, the object of which was not the cure of disease, but the provision of supposed healthy women for the soldiers. That system had proved a failure. It led, according to the opinion of the highest hygienic authority, the Army Sanitary Commission, to an increase of disease and an increase of immorality. When once the Government began to provide healthy women for the troops, the next step, and an essential consequence of the position, was that the Government itself became the procuress of those women. The present was the only opportunity of calling public attention to this matter. He strongly urged the Secretary for India to exercise the immediate supervision which his despatch of July, 1897, showed to be necessary. He himself and his supporters, who condemned, both on moral and hygienic grounds, the periodical examination of women, indicated in the policy of the Government of India, might be asked what they desired the Government of India to do. The noble lord's despatch to which he had referred, called attention to much that should be done. The *Times* of yesterday contained the substance of the general order on this subject issued last year by the Commander-in-Chief in India, and he desired to call the attention of the House to the following passage: "The records of many station hospitals in India show that the majority of cases are confined within a narrow circle of men who are admitted again and again, and thus swell the number of admissions. Such men, it is held, are fitting subjects for all the restrictions and discipline that can be imposed upon them, as they habitually render themselves unfit to fulfil the engagements with the State into which they have entered." A circular issued by the Commander-in-Chief at home said:—"The Commander-in-Chief is confident that officers, non-commissioned officers, and men in the Queen's service will spare no pains to remove from the army the reproach due to the want of self-restraint on the part of a comparatively small number of soldiers." He had never been a party to the indiscriminate abuse of either the habits or the morality of our soldiers generally, and he believed from these statements, coming from the source they did, that the disease extending in so many respects was not due to the admission of an immense number of different men, but was owing to the repeated admission of a small group of blackguards. (Hear, hear.) The two quotations he had given showed the desirability of the repressive and punitive measures suggested by the Secretary for India and by the Commander-in-Chief himself. Only when the public authorities in this country ceased to present this vice as a State-patronised and State-protected thing was there an opportunity of giving proper scope to moral methods. The two methods could not go on together. Investigation was required into the important point first emphasised by Surgeon-General Lawson —the wide variations between station and station and regiment and regiment. He also wished to know what had been done in connexion with the Presbyterian Mission Hospital under the care of Dr. Huntly. (Cheers.)

Lord G. HAMILTON said that several questions had been brought to the notice of the House in the naturally discursive discussion which occurred on the motion that the Speaker do leave the chair. He would deal first with the motion of his hon. friend the member for Bethnal Green. His hon. friend moved a motion declaring that the present system of education in India had proved ineffectual in directing the attention and energies of the people to technical and industrial pursuits. His contention was that, under the present system, the higher branches were too literary, that a large number of young men were turned out without any adequate means of obtaining employment subsequently, and that if the attention of the Universities were more directed towards technical and industrial education a great development might be made in the commercial and industrial resources of India, and that those who might otherwise prove a serious danger to the Government might be converted into useful members of the community. The hon. member for Dumfriesshire, he thought, gave them a great deal of useful information on the subject—(hear, hear)—and he thought that on certain points he did not quite agree with his hon. friend. He did not think it was true to assert that the productive power of India had been arrested by the present system of education, or that the country was more and more dependent on foreign manufactures than it was. He was Under-Secretary of State nearly five-and-twenty years ago at the India Office, and he knew that then a very considerable number of stores which the Indian Government required had to be purchased in this country. Now a very considerable proportion of those stores could be obtained in India, and therefore he thought it was perfectly clear that not only in respect of Government stores, but also in other branches of industry, there had been a very considerable development of commercial enterprise in India. His hon. friend seemed to think that the Indian Government had not paid much attention to this subject, but he had been looking into the matter, and they had given a closer attention to it than, perhaps, he was aware of. His hon. friend pointed out that only a small percentage of the total population of India were engaged in industrial pursuits—he thought he said 3 per cent. But that industrial population was steadily increasing. It would be perfectly clear, however, that if they attempted suddenly to divert a large number of young men whose aim now was to obtain degrees into the technical and industrial branch, all those young men would not be able to get employment if so small a proportion of the population were engaged in such pursuits. Therefore, he thought, his hon. friend must not anticipate too great a benefit from the change which he suggested. Every University, he understood, at the present moment offered facilities for training in technical subjects. Engineering schools and electrical schools had been associated with these institutions, and there was a steady increase in the number of students who attended those classes. Neither did he think his hon. friend was quite right in his contention that the lack of industries in India was due to the purely literary education in the Universities. What was going on in India was what was going on in every other part of the civilised world. New and improved methods were becoming developed and increased, and their production must necessarily supersede those which were associated with the older-fashioned methods. But he was entirely in sympathy with his hon. friend as regarded the object of his motion. He did think it would be of very great advantage if they could get the rising generation in India to take more interest in technical and industrial subjects, and if they could persuade a larger proportion of the students who were now content with a purely literary education to devote themselves to other subjects which would be more likely to enable them to obtain a livelihood than they could from the purely literary course which they now passed. (Hear, hear.) There was a thorough examination of this question made in 1882, and a long report by the Commissioners was then made. He proposed to look into the matter, and he would do everything he could to give expression to the views of both his hon. friend and the hon. gentleman opposite; but they must bear in mind that the governing bodies of those Universities were, necessarily, largely composed of Native gentlemen, and that their tendencies unquestionably inclined to a purely literary education, and the first thing they had got to do was rather to change the taste and inclination of those who went through these Universities. Until they did that they could not hope to make any great or material change in the number of students who now passed from the Universities with nothing but a purely literary education. He passed now to the subject brought forward by his hon. friend the member for Hertfordshire. His hon. friend was very much interested in Sir James Westland, who made a speech at Simla. He passed very lightly over Mr. Thorburn—(Mr. V. Gibbs: "Not lightly.")—and then fell heavily upon Sir James Westland, who, he said, had given utterance to some sentiments which he thought were likely to influence, if not to intimidate, those Indian officials upon the committee to which had been relegated the duty of enquiring into the currency system of India. As regarded Mr. Thorburn's utterances, he had already expressed his opinion upon them in an answer which he had given in that House. (Cheers.) They were unquestionably a breach of the rules which regulated civil servants both in this country and in India, and he thought there was nothing which the House in the public interest would more zealously guard than to try and maintain in its present integrity the pre-eminence of their civil service. (Hear, hear.) Few countries were so fortunate in being so well served in this respect, but he thought they ought unquestionably to adhere to the principle that no public servant had any right publicly to criticise the policy of the Government of which he was a servant. (Cheers.) If he differed from the heads of the department it was always competent for him to resign, and if it were necessary to enforce that principle in this country it must be much more necessary to enforce it in India. There was a wide difference of opinion as to whether the recall of Captain Barton from Jamrud was a proper step or not. The military authorities on the spot approved it, and the Commander-in-Chief after full consideration came to the conclusion that it was the best course to adopt. He did not propose to review his decision or express any opinion upon it, but he should shortly have before him the final arrangement for the future safeguarding of the Khyber Pass, and no doubt the raising and officering of local levies would form an integral part of that scheme. He would then take care to lay down in clear and unmistakable language what were the relations of any British officers to the cause to which they might be attached. With regard to the criticism of his hon. friend the member for the St. Albans Division as to the system of accounts, he would suggest that he should tender his evidence to the Commission on the Military and Civil Expenditure of India, and it would then be considered by a body which thoroughly understood the subject. He turned to the question to which the hon. member for Shoreditch had directed the attention of the House. He thoroughly appreciated the sincerity of the motives which actuated the hon. member and those who co-operated with him; the Government, however, differed from him, and possibly as time went on they differed more. The hon. gentleman must recollect that when the Government came into office they found a most remarkable and almost incredible state of things. A certain body of ladies and gentlemen, with the desire of promoting social purity and public morality, had actually contrived in their zeal that it should be enacted in India that venereal disease should be the only disease which should be exempted from the regulations and restrictions applicable to all other contagious diseases. The condition of things seemed to him absolutely intolerable. (Hear, hear.) He had always looked on this not as a military but as a national question. They had to promote the health of the people. They had a magnificent army in India, an army capable of great performances. It must not be forgotten that during the past two years our soldiers in India had distinguished themselves on the frontier and elsewhere. These soldiers were all more or less young soldiers, and when the "Warren Hastings" transport was in danger many of these young soldiers stood for hours in a sinking ship, and not one of them moved until every woman and child on board was removed. Therefore, he said, they were young men full of chivalrous instincts towards the weaker sex, and he did think it was an absolute disgrace that a condition of things should be allowed to exist in India whereby this superb army should become a sewer for the transmission of the

worst of contagious diseases. They thought it was necessary to try and do something to mitigate the ill effects which had existed, and what they proposed was simply to put the venereal disease on exactly the same footing as other contagious diseases. He expressly laid down certain conditions which should not be infringed. As a natural consequence of their determination they had to repeal the Act which prevented this disease from being put on the same footing as other contagious diseases.

Professor STUART: No; on a different footing from other contagious diseases.

Lord G. HAMILTON: He had taken the utmost care to test the accuracy of the figures relating to India, and he could assure the hon. member that there was indisputable evidence to show that the removal of all regulations had largely increased the disease in India, and that its intensity had also been greatly augmented. Certain reforms had been suggested and adopted relating to inspection, and to measures for preventing the concealment of disease. Again, memoranda had been issued by the Commanders-in-Chief, both in India and at home, impressing upon regimental officers the necessity of giving good advice to young soldiers, pointing out the evil consequences that ensued from giving way to vicious habits, and directing that in the recommendations for promotion care should be taken to see that those selected were free from vicious habits. It would be seen, therefore, that not only had he kept faith in everything he had undertaken to do, but he had gone even beyond it. (Hear, hear.) He looked upon this question as one of national importance and one which must not be looked at from a purely political point of view. He believed the regulations that had been laid down could, from every aspect, be justified, that they were in accordance with the Christian precept which exorted them to heal the sick, and that they were dictated by the common principles of humanity. (Hear, hear.)

Mr. H. J. WILSON could not understand how it was that in spite of the despatch of March 26, the Indian Government did those things which were prohibited under the Act, 1895, or the figures the noble lord had quoted. They did not, however, found their case on statistics, and fully agreed with the dictum of John Stuart Mill, that it was no part of the duty of the State to make provision beforehand against the consequences of immorality.

The motion that the Speaker leave the chair was agreed to.

The House went into Committee, when the formal resolution dealing with the East India Revenue Accounts was agreed to and reported to the House as follows:—

RESOLVED—That it appears, by the accounts laid before this House, that the total revenue of India for the year ending March 31, 1897, was Rx. 94,129,741; that the total expenditure in India and in England charged against the revenue was Rx. 95,834,763; that there was an excess of expenditure over revenue of Rx. 1,705,022; and that the capital outlay on railways and irrigation works not charged against revenue was Rx. 4,984,422.

Friday, August 12.

HOUSE OF LORDS.

THE QUEEN'S SPEECH.

The following passage occurred in the Queen's Speech proroguing Parliament:—

"In certain portions of Western India, and in a small district of the Punjab, the plague, though it has abated during the hot weather, still exists, and a few cases have occurred in other parts of the country. My officers have done all that lies in their power to relieve the victims of the epidemic and to arrest its growth. I am thankful that bountiful harvests have been gathered throughout the greater part of India, and that the internal and external trade of the country is rapidly recovering from the depression caused by the famine of the preceding year."

EAST INDIA LOAN ACT.

The Royal assent was given to the East India Loan Act.

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